

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

...(microphone cutoff)...will come to order. Will our guests in the gallery please rise? Our prayer for today is by Pastor Frank Gillett, the Elliott Avenue Baptist Church. Reverend.

THE REVEREND GILLETT:

(Prayer by the Reverend Gillett)

PRESIDING OFFICER: (SENATOR WEAVER)

Reading and approval of the Journal. Senator Butler.

SENATOR BUTLER:

Mr. President, I move that reading and approval of the Journals of Thursday, May 13th; Friday, May 14th; Monday, May 17th; Tuesday, May 18th; and Wednesday, May 19th, in the year 1993, be postponed, pending arrival of the printed Journals.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Butler has moved to postpone the reading and approval of the Journal, pending arrival of the printed transcripts. There being no objection, it is so ordered. Introduction of Resolutions.

SECRETARY HARRY:

...(microphone cutoff)...Resolution 485, 486, offered by Senator Klemm.

Senate Resolution 487, by Senator Jones.

And Senate Resolution 488, by Senator Dudycz.

They're all congratulatory, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Consent Calendar. For what purpose does -- Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President, on a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR GEO-KARIS:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Mr. President and Ladies and Gentlemen of the Senate, it's my pleasure to have with us in the gallery behind me members from Warren Township: James M. Sammon - S-A-M-M-O-N, the township clerk; trustee Donna Radke - R-A-D-K-E; and Joe Schaberger - S-C-H-A-B-E-R-G-E-R, visiting us today from the township. And we're delighted to have them and they're my constituents. Would you help me welcome them?

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests in the gallery please rise and be welcomed by the Senate? Welcome to Springfield. Senator Petka, for what purpose do you arise?

SENATOR PETKA:

Well, thank you very much, Mr. President and Members of the Senate. It is indeed a high honor and personal privilege for me to introduce in the President's Gallery the eighth-grade class of St. Mary Immaculate, where all of my children attended - it's my home parish, my hometown of Plainfield - along with their teacher and the adult chaperones. And I would like the Senate to give them a warm welcome here to Springfield today.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests in the gallery please arise? Welcome to Springfield. Senator O'Daniel, for what purpose do you arise?

SENATOR O'DANIEL:

Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR O'DANIEL:

Today is a great day for my seatmate here, and the dean of the Senate, Senator Kenneth Hall's birthday. Help me congratulate Senator Hall on his -- I know, his fortieth birthday.

PRESIDING OFFICER: (SENATOR WEAVER)

Happy birthday, Senator Hall. Committee Reports.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance, Pensions and Licensed Activities, reports Senate Amendment 3 to House Bill 837 Approved for Consideration.

Senator Karpel, Chair of the Committee on Executive, reports Senate Amendment 3 to House Bill 203 Be Adopted, Amendment 2 to House Bill 377 Be Adopted, Amendment 5 to House Bill 1038 Be Adopted, Amendment 3 to House Bill 1045 Be Adopted, Amendment 1 to House Bill 1230 Be Adopted, Amendment 2 to House Bill 1816 Be Adopted, Amendment 2 to House Bill 2123 Be Adopted, and Amendment 1 to House Bill 2272 Be Adopted.

Senator Hawkinson, Chair of the Committee on Judiciary, reports Senate Amendment 1 to House Bill 246 Be Adopted, Amendments 2 and 3 to House Bill 935 Be Adopted, Amendment 1 to House Bill 1203 Be Adopted, Amendment 3 to House Bill 1235 Be Adopted, Amendments 1, 2 and 3 to House Bill 1256 Be Adopted, Amendment 5 to House Bill 1886 Be Adopted, and Amendment 2 to House Bill 2152 Be Adopted.

Senator Watson, Chair of the Committee on Education, reports Senate Amendment 3 to House Bill 701 Be Adopted, Amendment 1 to House Bill 1126 Be Adopted, Amendment 1 to House Bill 1507 Be Adopted, Amendment 3 to House Bill 2062 Be Adopted, and Amendment 1 to House Bill 2282 Be Adopted.

Senator Maitland, Chair of the Committee on Appropriations, reports Amendment 3 to House Bill 917 Be Adopted, Amendment 4 to House Bill 1243 Be Adopted, Amendments 2, 3, 4 and 5 to House Bill 1244 Be Adopted, Amendment 2 to House Bill 1245 Be Adopted, Amendments 6 and 7 to House Bill 1246 Be Adopted, Amendments 3, 4 and 5 to House Bill 1247 Be Adopted, Amendment 2 to House Bill 1525 Be Adopted, Amendment 2 to House Bill 1693 Be Adopted, Amendment 2 to House Bill 1721 Be Adopted, Amendment 2 to House Bill 1885 Be Adopted, and Amendment 1 to House Bill 2203 Be

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Adopted.

Senator Raica, Chair of the Committee on Local Government and Elections, reports Senate Amendments 13, 14 and 15 to House Bill 176 Be Adopted.

Senator Mahar, Chair of the Committee on Environment and Energy, reports Amendment 1 to House Bill 1163 Be Adopted, Amendment 6 to House Bill 1316 Be Adopted, Amendment 4 to House Bill 1479 Be Adopted, and Amendment 1 to House Bill 1821 Be Adopted.

And Senator Woodyard, Chair of the Committee on Agriculture and Conservation, reports Amendment 1 to House Bill 1854 Be Adopted.

PRESIDING OFFICER: (SENATOR WEAVER)

Messages from the House.

SECRETARY HARRY:

A Message from the House, by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 937, together with the following amendments, which are attached, in the adoption of which I am asked to -- I am asked to -- or instructed to ask the concurrence of the Senate, to wit:

Amendments 1 and 3 to Senate Bill 937.

We have like Messages on Senate Bill 188, with House Amendment No. 5; and Senate Bill 99, with House Amendment No. 1.

All passed the House, as amended, May 19, 1993.

PRESIDING OFFICER: (SENATOR WEAVER)

Message from the Governor.

SECRETARY HARRY:

A Message for the Governor, by Mark Boozell, Director of Legislative Affairs.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Mr. President - the Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the 88th General Assembly - I have nominated and appointed the following named persons to the offices enumerated below, and respectfully ask concurrence in and confirmation of these appointments by your Honorable Body.

PRESIDING OFFICER: (SENATOR WEAVER)

House Bills 1st Reading.

SECRETARY HARRY:

House Bill 1704, offered by Senator Farley.

(Secretary reads title of bill)

And House Bill 1736, offered by Senator Farley.

(Secretary reads title of bill)

1st Reading of the bills, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

WAND-TV requests permission to videotape today's Senate proceedings. Is there leave? Leave is granted. Senator Dudycz has a group that he would like to introduce.

SENATOR DUDYCZ:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, it is my honor today to introduce a group of young ladies who we are recognizing for excellence in education. Fifteen students from Resurrection High School in Chicago participated in the Illinois Junior Academy of Science Fair on May 7th and 8th at the University of Illinois in Champaign. Because of the successes of each student, the school was awarded the Lyell Thomas Outstanding High School Award, and was named First in the State of Illinois. I would just like to take a moment to introduce these students and their award-winning projects. We have Georgia Alexakis, who won Outstanding Paper and Outstanding Project awards with "Children's Drawings as Measures of Intellectual Maturity." Erin Anderson won

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

first-place Paper and Outstanding Project awards for "Hard Water: a Comparison of Chicago's Water with that of the Suburbs." Marika Alexakis, who won second-place Paper and Project awards for "Ergonomics: a Study of Staircases in the Home and in the School." Nichole Beranek won first-place Paper and second-place Project awards for "A,B,C, and None of the Above." Julie Chytrowsky won an Outstanding Project award for "How Are Different Species of Bacteria Affected by Different Antibiotics?" Amy Colin won an Outstanding Project award for "The Effects of Protein Drink on Bean Plants." Teresa Dini won an Outstanding Project award for "To Lime or Not To Lime: That is the Question." Amelia Dombrowski won an Outstanding Project award for "Acid Rain and Plant Pigments." Maureen Durkin won Outstanding Paper and Outstanding Project awards for "Desalination." Karen Jarosz won a second-place Project award for "The Effects of Temperature on Different Wood Stains." Bob -- Barb Kurcz won a second-place Project award for "Soaps and Detergents: Are They Readily Biodegradable?" Lynette Lotz won an Outstanding Project awards for "Can Mario Affect Your Blood Pressure and Pulse?" Cheryl Michaels won the second-place Project award for "What is the Best Method of Erosion Prevention?" Melissa Michalewicz won a first-place Project award for "Fun with" Frivarnarchi -- "Fibonacci." Karen Stocchetti won first-place Paper and Outstanding Project awards for "Probability and Statistics." Ladies and Gentlemen of the Senate, please join me in congratulating these students and their teachers, Vicky Giusti, Mary Ann Kay, Paula Nicolau and Aurelia Skiba, in commending them for their original and challenging projects, and to Resurrection High School for winning Number One in the entire State of Illinois. And -- and I would -- and if you just give me thirty seconds more, I would like to ask Mary Ann Kay from Resurrection High School to say a few words on behalf of the students.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

MARY ANN KAY:

(Thanks the State Senate)

SENATOR DUDYCZ:

Best speech of the day. Thank you very much, Mr. President.  
Thank you very much, Ladies and Gentlemen of the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

May I have your attention just a minute? At the request of the Minority Caucus, they're not quite ready to go to 2nd Readings on appropriation bills, so we'll start out on House -- or -- House Bills 3rd Reading. Senator Watson, are you ready on House Bill 132? Senator Watson? Out of the record. Senator Dudycz? Out of the record. Senator Peterson, are you ready on House Bill 184? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 184.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. House Bill 184, as amended, is an agreement between the long distance operator service providers and the ICC on how to regulate some of the new companies regarding the fees they've been charging. You've probably all read about some of the horrendous fees that are being charged at some of these pay phones and in some of the hotels. And this bill would give the ICC additional ability to formulate rules and regulations governing this problem. I ask for approval of House Bill 184, as amended.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 184 pass. Those in favor will vote Aye. Those opposed will

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 55, the Nays are none, 1 voting Present. House Bill 184, having received the constitutional majority, is declared passed. Senator Collins, on House Bill 246? Out of the record. Senator Cronin, on House Bill 248? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 248.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. House Bill 248 amends the Specialized Living Centers Act. It repeals language which grants a reversionary interest in specialized living centers to the Capital Development Board upon a breach of any departmental rules or regulations by the sponsoring authority. The language which allows the Board to transfer a fee simple determinable interest in an SLC to the sponsoring authority upon completion of construction is changed to "simple interest". This is a -- kind of a creative approach to help out these specialized living centers, which many of you know are community-based service agencies to help out the mentally handicapped and the developmentally disabled. Due to the budget crunch and the tightness of funds, this is a way to give them a tool to raise money and to meet their needs. I ask for your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall House Bill 248 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

who wish? Take the record. On that question, the Ayes are 54, the Nays are none, 3 voting Present. House Bill 248, having received the constitutional majority, is declared passed. Senator Watson? Out of the record. Senator Mahar, on House Bill 299? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 299.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

Thank you, Mr. President and Members. House Bill 299 provides the necessary language for Illinois to pursue partial or -- full approval of the USEPA Subtitle D Program which is municipal solid waste landfill regulations. Federal Subtitle D requirements will become effective on October the 9th of this year. Facilities in states that do not have a federally approved program by October the 9th must comply with an inflexible federal program, which basically means the feds will be the ones that will be regulating our landfills, and not -- not the Illinois EPA. In -- there's common agreement. This is brought to us by the Waste -- Solid Waste Management Association. There's an agreement amongst these requirements. There also is a schedule of fees by which to pay for the implementation. This -- there is not an agreement on the schedule of fees. So I would ask that we pass this over to the House, where it will go into conference committee, while the business groups, the EPA and the Solid Waste Management Association comes to an agreement.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Welch.

SENATOR WELCH:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch has a question. He indicates he will yield.

SENATOR WELCH:

Senator Mahar, it's my understanding that environmental groups were opposed to this at one point. Are they still opposed or did this bill assuage their opposition?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

We have not heard. They were not -- they did not say so at our committee. So, in a sense, I don't... The only -- the only thing that is -- is still up in the air is the schedule of fees, and we have not heard from them on that issue.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

Senator, how much money will this bill raise, and where will the money go?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar. Will you take your conferences off of the Senate Floor, please?

SENATOR MAHAR:

Under this schedule...

PRESIDING OFFICER: (SENATOR WEAVER)

Will the staff take their conferences off the Senate Floor and have a little order, so we can hear?

SENATOR MAHAR:

Under this schedule of fees... Oop -- excuse me. Under this schedule of fees, it'll raise 1.7 million. But once again, there is no agreement on the fees. And it -- and it goes to the -- and it goes to the EPA's...

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR MAHAR:

It goes to the administration of these regulations by the Illinois EPA.

PRESIDING OFFICER: (SENATOR WEAVER)

Further questions, Senator Welch?

SENATOR WELCH:

So -- so the fee part is still in negotiation with the House. Is that correct? And you expect this to be a conference committee report?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

Fees are in -- negotiation with the business groups, the Solid Waste Management Association and the Illinois EPA, and it will go to conference.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR PALMER:

Senator Mahar, I see a long list of exemptions to this. Would you just explain what -- are those still in place, and what would be the -- the possible consequences of this - of the list of exemptions? What do they do exactly?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar.

SENATOR MAHAR:

The consequence really is not the exemptions, but rather who

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

this applies to, and it only applies to landfills that receive household waste. All others, such as hazardous -- hazardous wastes or whatever, are -- are not included under the Subtitle D federal regulations. It's only landfills dealing with household waste.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Mahar, to close. The question is, shall House Bill 299 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 51, the Nays are 2, 1 voting Present. House Bill 299, having received the constitutional majority, is declared passed. Senator Karpziel? Senator Karpziel seeks leave of the Body to return House Bill 317 to the -- to the Order of 2nd Reading for the purpose of an amendment -- for tabling an -- an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 317. Senator Karpziel moves -- Senator Karpziel. Excuse me.

SENATOR KARPIEL:

Thank you, Mr. President. I move to table Amendment No. 3 to House Bill 317.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel moves to table -- House <sic> Amendment 3 to House Bill 317. All -- those in favor of the tabling of Amendment No. 3 to House Bill 317, signify by saying Aye. Opposed, Nay. The motion carried. Amendment 3 is tabled. Are there further motions?

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Berman, on 328? For what purpose does Senator Cullerton arise?

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR CULLERTON:

Mr. President, if you could -- on the previous bill, number -- House Bill 317, could you ask the Secretary to tell me now which amendments are on the bill and which are not on? There's -- there's been six -- I'm sorry, seven amendments that were offered. I understand we just tabled No. 3. I can't tell if -- which ones are on...

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, can you answer that request?

SECRETARY HARRY:

Yes, Mr. President. Amendment 1, Amendment No. 2, Amendment No. 4 and Amendment No. 7.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman, on House Bill 328? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 328.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 328, as amended, addresses the concern of when a person is driving his vehicle and he or her doesn't have a proper license - it's been revoked or suspended - and when they're stopped, they find that they do not have proof of insurance to cover the car. This bill requires that the...(microphone cutoff)...

PRESIDING OFFICER: (SENATOR WEAVER)

Continue, Senator Berman.

SENATOR BERMAN:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Okay. This -- this is not a Commonwealth Edison bill. It requires that this bill -- that this car be impounded and that the vehicle may be released upon proof of insurance coverage and pursuant to authorization by the owner to the person to whom it is to be released. The amendment has taken out the fine that was of concern to some of our colleagues, and I think that the bill is in proper form now to address the proper safety regarding vehicles that are in this situation. Be glad to respond to any questions.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Syverson.

SENATOR SYVERSON:

Just a quick question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR SYVERSON:

Just to make sure I understand this: If an individual is driving that has a suspended license, has no insurance on his car, he gets stopped; that car is impounded until he proves insurance...

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

I've been cut off by higher sources.

PRESIDING OFFICER: (SENATOR WEAVER)

The power failed for a second there, I believe.

SENATOR SYVERSON:

My question is: What happens if the individual is unable to -- obviously with a suspended license, there's no way he can get insurance. What's going to happen to that vehicle then when this individual is unable to get insurance to get that car released? Is there any other way to get the car released, I guess, is my question.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Berman.

SENATOR BERMAN:

If -- if the -- the availability of -- of a license isn't a condition of insurance. It usually -- you know, we always do it, but what you could do is -- is a person who does have a proper license could be an added person to the policy so that insurance could be issued. The whole purpose is to -- in -- in this bill, is to carry out the intent that we have regarding -- the mandatory insurance coverage and that the car, in fact, be released to an authorized licensed driver.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Syverson.

SENATOR SYVERSON:

Again, and I agree with you - I think this is a good bill. My concern was addressed as how we can get that car out, because coming from an insurance background, I know that there's no insurance company in the world that's going to give insurance to an individual who has a suspended license. But you're saying it's possible we could have another name to -- insured added to that, and that individual then could go and get the car. So that answers the question. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Berman, to close.

SENATOR BERMAN:

Thank you, Mr. President. I solicit your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 328 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 58, the Nays are none,

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

none voting Present. House Bill 328, having received the constitutional majority, is declared passed. Senator Woodyard, on House Bill 344? Senator Woodyard? House Bill 344? Out of the record. Senator LaPaille? For what purpose does Senator Molaro arise?

SENATOR MOLARO:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, sir.

SENATOR MOLARO:

Mr. President, Ladies and Gentlemen of the Senate, in the gallery on the Democratic side, from the great South Side of Chicago, the eighth graders from the Earle School of 61st and Hermitage. Their leaders with them today are Mrs. Redmond, Mr. Bird, Mrs. Pume, Mrs. Edmonds, Mr. Flamboris, Ms. Grady, Mr. Smalley, and the eighth grade of the Earle School from the South Side of Chicago.

PRESIDING OFFICER: (SENATOR WEAVER)

Will our guests please rise and be welcomed? Welcome to Springfield. Senator LaPaille seeks leave to bring House Bill 377 -- to return to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 377. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator LaPaille.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Mr. President. Senate Amendment No. 2 was adopted by -- by...

PRESIDING OFFICER: (SENATOR WEAVER)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Excuse me.

SENATOR LaPAILLE:

...by the Senate Executive Committee yesterday. What this amendment would do would conform and make constitutional a provision that's currently in the law which allows individuals to circulate petitions that would vote a specific address dry - take liquor away from that address - in the City of Chicago. Currently this would allow, then, not to have an entire precinct voted dry. If there were two or three other establishments, restaurants, other lounges that were doing a good job with communities and with community relations, but there was a bad licensee at a specific street address, you could zero in and just vote that one address dry. It's -- it is supported by the Liquor Commissioner's Office here in the State of Illinois and also supported strongly by the Illinois Restaurant Association. And I would ask for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, all those in favor of the amendment, signify by saying Aye. Opposed, Nay. The amendment's adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator DeAngelis seeks leave of the Body to return House Bill 419 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 419. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator DeAngelis.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator DeAngelis.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR DeANGELIS:

Thank you, Mr. President. Floor Amendment No. 1 to House Bill 419 removes the immediate effective date. I urge its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Hasara, on 462? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 462.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. House Bill 462 is very similar to the other bill, 1261 - I think we passed yesterday - in that it is a bill that was a compromise after many hours of work between the truckers and the highway engineers and the township people. The original bill puts Illinois in compliance with the federal mandate because of the requirement that handicapped persons have access to buses. The amendment, then, provides for access to local roads and extends the length of a truck. I think the amendment was well-debated on -- on 2nd Reading, and I would ask for a favorable roll call. Again, there is no opposition to this bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not -- Senator Cullerton.

SENATOR CULLERTON:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she will, Senator.

SENATOR CULLERTON:

Did you indicate, Senator, that there's no opposition to the bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Yes, I did indicate that.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. I -- I just wanted to see if I had the right bill. Is this the bill that increases the -- the truck size and the weight that would be allowed on our highways? Just the -- not the weight, but just the -- the length and the width?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Yes, just the length and width. The weight was taken out, and that's how we were able to reach an agreement with all the parties, Senator.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fawell.

SENATOR FAWELL:

Thank you very much. The -- we have made phone calls, and the ones that are neutral on this bill are IDOT, State Police, Municipal League, Township Officials, County Engineers, Northwest Municipal League and the DuPage Mayors and Managers. The supporters are the Mid-West Truckers Association, the Illinois Transportation Association. This is a good...(microphone

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

cutoff)... It has been worked out with the Municipal League, the Township Officials, the road commissioners, the County Engineers. There is no problem with it. They go on posted roads, and I too solicit your Aye vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? If not, Senator Hasara may close.

SENATOR HASARA:

Thank you, Mr. President. I believe the subject has -- has been well-debated, and I would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 462 pass. Those in favor, vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Yeas -- Ayes are 46, the Nays are 7, 5 voting Present. House Bill 462, having received the constitutional majority, is declared passed. Senator Sieben, on 508? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 508.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. House Bill 508 is a House Education Committee bill. It contains -- now contains six separate provisions dealing: one, with the Mount Morris School District dissolution; two, with the mandatory consolidation referendum of two or more districts wholly located within one municipality; three is the technical changes for the Community and Residential Service Authority; fourth Section is the in-service training for teachers; the fifth Section

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

deals with the reports on Chicago school reform; and the sixth -- subject matter is the youth in the National Guard Program being eligible for the GED. And I would move for the passage of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will.

SENATOR CULLERTON:

Senator Sieben, you have -- filed an Amendment No. 4 to this bill which is in the Rules Committee. Could you tell me, as one of your hyphenated cosponsors, whether or not you asked for that amendment to be held in the Rules Committee, or did you want to file a motion to discharge the Rules Committee? Did you remember that you filed it? Did you want to go to final passage without the amendment? Could -- could you answer that?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben.

SENATOR SIEBEN:

Thank you, Senator Cullerton. That Amendment No. 4 was filed by the Governor's Office late yesterday, and we're going to move ahead with the bill. It did not make it out of Rules Committee, and so I intend to move the bill without that amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Berman?

SENATOR BERMAN:

Thank you, Mr. President. I -- I don't know if this has been previously covered, but the sponsor and I have talked, and this bill affects a number of school districts, in addition to the Berwyn School District, which apparently is supportive of -- of a

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

referendum for consolidation that's in this bill. I would just like the sponsor to acknowledge that if the bill goes back to the House, that we may try to put it in conference to keep everything else that's in there but take out the other communities that may not want to be in the same pool with Berwyn. If he'll just acknowledge that, I'd appreciate it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben.

SENATOR SIEBEN:

Senator Berman's correct. The second Section of this bill deals with the -- the Berwyn Elementary District No. 98 and Elementary District No. 100, and that bill was included in this bill at the request of Representative Kubik. Senator -- Berman has determined that this might affect some other school districts under the same provision, and we're going to ask that the House take a close look at that.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President. I -- I was -- just had another -- I wanted to follow up on -- on Senator Sieben's answer. Senator, Amendment No. 6 <sic> is in your name. You indicated it was the Governor's Office that wanted it filed, but you don't want to call it. So my question is: Is this bill going to conference committee for sure? And if not, what's going to happen to Senate Amendment No. 6 that you -- or Senate Amendment No. 4 that you offered?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben.

SENATOR SIEBEN:

Senate Amendment No. 4 was a request by the Governor's Office to add some language dealing with the -- the committee to talk

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

about governance between community colleges and -- and the State Board of Education. They were trying to put that together. They ran short on time. They filed it late yesterday afternoon, and it did not move out of the Rules Committee. It did not meet the deadline to be heard in the Education Committee yesterday afternoon. So we're proceeding with the bill without the amendment, and I think that amendment is just going to die. They have not indicated to me any intent to add that in the House as part of a conference committee report.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Klemm.

SENATOR KLEMM:

Thank you, Mr. President. Would the sponsor yield for a quick question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR KLEMM:

Senator, there was some amendments in there, or provisions that were about some tax increases without referendum or something. Are there any provisions left in that bill about increased taxes on referendums, or with or without?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Sieben.

SENATOR SIEBEN:

No, those provisions were removed by a previous amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Thank you, Mr. President. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR GEO-KARIS:

I was distracted when some other questions were asked. Can you tell me that -- the bonding authority and taxing authority, was that removed?

PRESIDING OFFICER: (SENATOR WEAVER)

He just answered that question. Yes.

SENATOR SIEBEN:

Yes.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? If not, Senator Sieben may close.

SENATOR SIEBEN:

...(microphone cutoff)...for a favorable vote.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 508 pass. Those in favor will vote Aye. Those opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 56, the Nays are none, 1 voting Present. House Bill 508, having received the constitutional majority, is declared passed. Senator Cronin, do you wish 564? Out of the record. Senator Peterson, do you wish it brought back to 2nd? Senator Peterson seeks leave of the Body to return House Bill 611 to the Order of 2nd Reading for the purpose of an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is House Bill 611. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Peterson.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

Thank you, Mr. President. Amendment 1 clarifies, under the Revenue Code, the assessed value of a demonstration model in a

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

housing project, and it says that the display in the model home that contains home furnishings, appliance, office and office equipment to further sales activity shall not change the language of this Act or make it revert to any other assessment than is provided for in the Statute. The other part of the amendment eliminates the ten-square-mile area subject to assessment provisions of this Section, and makes it a three-mile radius. The center point of each radius shall be the display or demonstration model that has been used as such for the longest period of time. I ask for your approval of Amendment 1 to House Bill 611.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, thank you, Mr. President and Ladies and Gentlemen of the Senate. I would pose this question to the Senator. As I understand it, this amendment is identical to House Bill 1310, which passed the House 111 to 3 and is currently being held in the Rules Committee. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Peterson.

SENATOR PETERSON:

I'm not aware of that, Senator.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Demuzio.

SENATOR DEMUZIO:

My staff analysis indicates that that's the case, and I guess we're -- you know, I guess it's special privileges for those that are in the Majority, that they can get their -- their bills out of Rules and we can't get ours out. But this is -- this is a precedent that we ought to -- ought to take a look at.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, all in favor of the

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

adoption of Amendment No. 1 to House Bill 611, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Jacobs, for what purpose do you arise?

SENATOR JACOBS:

Point of personal privilege, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point, Senator.

SENATOR JACOBS:

Mr. President, Ladies and Gentlemen of the Senate, we have in the President's Gallery here behind you the Fulton Junior High School, led by a number of teachers, but not of which the least is Kent Leininger, who is the son of Bob Leininger, the Superintendent of Education. We'd like to have them rise and be recognized by the Senate.

PRESIDING OFFICER: (SENATOR WEAVER)

...(microphone cutoff)...guests rise and be welcomed by the Senate. Welcome to Springfield. Senator Woodyard, on 701? Do you wish this returned to 2nd Reading? Senator Woodyard seeks leave of the Body to return House Bill 701 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 701. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Thank you very much, Mr. President, Members of the Senate. Floor Amendment No. 3 folds into House Bill 701 the components of Senate Bill 671 that passed out of this Body some weeks ago. We inadvertently left an immediate effective date out of it. The bill passed out of here with no negative votes. I know of no opposition. I would move for the adoption of Floor Amendment No. 3.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, all in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Watson, on House Bill 749? Read the bill, Mr. Secretary. Excuse me. Senator Watson asks leave to return House Bill 749 to the Order of 2nd Reading for the purpose of tabling an amendment. Is there leave? Leave is granted. On the Order of 2nd Reading is House Bill 749. Mr. -- Senator Watson.

SENATOR WATSON:

Yes. Thank you. Pursuant to Rule 7-10(d), I move to table Senate Amendment No. 1 to House Bill 749. The amendment was put on in committee, and it would have provided that Fairmount Race Track, located in Madison County in Collinsville, and its five OTBs, would be able to accept full card wagering from an out-of-State source at any time. I would like to table that amendment, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson moves to table Amendment No. 1 to House Bill 749. Is there discussion? All in favor, signify by saying Aye. Opposed, Nay. The amendment's tabled. Are there further motions?

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SECRETARY HARRY:

No further amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Cullerton, on 766? Excuse me. I'm sorry. House Bill 749 is on the Order of 3rd Reading. Senator Cullerton, do you wish to bring 766 back? Senator Cullerton seeks leave of the Body to return House Bill 766 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 766. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

I would ask to withdraw Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton, to explain the amendments. Are there further amendments?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Cullerton.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton, on Floor Amendment No. 2.

SENATOR CULLERTON:

Thank you, Mr. President, Members of the Senate. I wish to adopt Amendment No. 2, which provides for an immediate effective date of the law.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Cullerton moves the adoption of Amendment No. -- Floor Amendment No. 2 to House Bill 766. All in favor, signify by saying Aye. Opposed, Nay. Motion

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

carried. Amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On the Order of 3rd Reading is House Bill 749. The Chair rules that when an amendment is tabled, it still will be eligible for calling on the same day. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 749.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes. Thank you, Mr. President and Members. I appreciate your consideration on this matter. This is House Bill 749, and it amends the Illinois Horse Racing Act by requiring Fairmount Race Track, located in Collinsville, to conduct a hundred and five racing days of standardbred racing per year and a hundred and twenty-five racing days of thoroughbred racing per year. In addition, it also requires the revenues derived from these races at Fairmount Park, as well as all revenue derived from the races run at televised tracks at Fairmount off-track betting parlors, to be paid out as purses at Fairmount Race Track. The reason for this bill and the reason that we took the last amendment off is a situation that has -- has occurred in my district. We have a track -- a racetrack in our area that has been cutting racing days, and we are asking that -- their consideration to -- to increase those days, and that's what this legislation does. They -- they employ about eight hundred people and some three thousand other - what we would consider - jobs outside the track, and it's

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

a very much of an important economic interest for our area. We're just trying to increase those racing days and the horsemen associations on -- are all in support of this. And I would appreciate your support.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Raica.

SENATOR RAICA:

Thank you, Mr. President and Ladies and Gentlemen of the -- Senate. I reluctantly stand in opposition to House Bill 749. And Senator Molaro, and -- and those of you who have racetracks in your area, pay specific attention to this bill, House Bill 749. If this bill passes this Body, it does not go to a conference committee. It goes right to the Governor for signature. The information I have received is, Sportsman's Park, which is in Senator Topinka's area and my area, Balmoral, Fairmount and Hawthorne are opposed to this bill, House Bill 749. Currently the racing industry sets dates of how many races these various parks can have. We, as a Legislature, now are going to be involved in setting dates for these tracks. It is also my understanding, since the riverboats went in, we went from five-million-dollar purses to basically a half-a-million-dollar purse. We, as a Body, should not be standing here setting racing dates for racetracks. This is a very bad precedent to take, and this is final action. This is not going to conference committee; this is going to the Governor. My understanding, this is going to hurt the racing industry. These tracks are opposed to this. The Racing Board is opposed to this, the very body that sets the dates. I ask you not to pass House Bill 749. Although it's a very good sponsor, this is a very dangerous thing to do, and I ask for a No vote or a Present vote on this piece of legislation.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. And let me -- let me just try to clarify something, 'cause I think we're getting a little bit off base sometimes. I know that I've had numerous discussions. We have a track in our community, and I keep hearing about riverboat gaming taking away from the horse racing. What is really happening here - and it's the -- reason for this bill, the need for this bill - is that horse racing is just going down. It has really not a lot to do with riverboat gaming, with any other forms of gaming. Horse racing is just not what it used to be. That's not true in -- just true in Illinois; it's true throughout the whole country. So I think it's the only way that Fairmount can stay alive. And in order to help Fairmount, I think we ought to pass this legislation.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Madigan.

SENATOR MADIGAN:

Thank you, Mr. President. Question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR MADIGAN:

Senator Watson, when the Racing Board appeared before the Appropriations Committee on their budget, they testified that Fairmount Park wanted to shorten their days, and that they were losing - Fairmount Park was losing - five thousand dollars each day that they had racing. The question that I have for you is: How does this help a track or the horsemen's situation when we're forcing a track to have more -- to extend their racing dates when they're losing five thousand dollars a day currently?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Well, I -- I don't know what the bottom line is of -- of Fairmount Race Track, and whether they're making or losing money at the track. I honestly don't know where -- where they're at there. What we're trying to do here -- and negotiations are going on currently to allow for the signal, the inter -- the inter-tracking, to increase at the Chicago tracks. If that happens, as a result, so does the play or the handle on -- for Fairmount. And that would -- increases Fairmount's revenue. That's negotiations that are going on as we speak, hopefully. That's -- that would certainly satisfy Fairmount's problem, and they are -- in fact, would be increasing racing days if, in fact, the Chicago tracks would take additional pictures. But that's not part of this bill. But that's negotiations that are going on now as a result of this. I honestly don't know what the bottom line is. We just want to see increased racing days at Fairmount, so that the horsemen and those people that are involved in racing will have a viable track by which to operate. But I understand your concerns, and I certainly understand Fairmount's.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Yes. Thank you, Mr. President. Would the sponsor yield?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR JONES:

Senator Watson, it had been brought to my attention -- it is my understanding, that the amendment that was on the bill was something that had been agreed to. Could you tell us, why did you pull the amendment off and break down the agreement process as relate to the bill?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR WATSON:

Well, the amendment wasn't necessarily agreed to. The -- Fairmount agreed to it and supported it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones.

SENATOR JONES:

Well, I just rise to concur with those who are in opposition to the bill. This has been a very critical issue as relate to racing dates itself, and there are other tracks, be it Balmoral, Hawthorne or Sportsman. When you talk about the racing dates, we cannot legislatively begin to set those dates; otherwise, we might as well go ahead and abolish the Board. Now the Board have been arbitrary and capricious at times, and I recall just recently they had to be mandated by the court to take certain action. But for us to legislatively do this, we are setting a very bad precedent, and I think, in the best interests of all those concerned, rather than we, as a Body, do, I believe everyone should sit down and put this bill in the conference committee. But it -- by going directly to the Governor, it's going to create a very serious, serious problem. So, not to vote against the bill, I suggest everyone vote Present till this issue get resolved.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Molaro.

SENATOR MOLARO:

Yes. I -- I rise in opposition to this bill, and I think Senator Watson is -- even though his intentions are to get all these things worked out - and I applaud you for that - the problem is just letting this go by saying that something else may compromise is, to me, a weird way to do business. If you take a look at this bill, this is not a local issue to -- to East St. Louis or Fairmount Park. This is a major, major deviation from the way the racing industry has done business in this State for

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

many, many years. You're usurping the whole power of the Racing Commission and the Governor. What it comes in here as saying is that -- it says a racetrack located in a county that has a population of more than two hundred and thirty thousand people and bounded by the Mississippi River shall conduct a hundred and five racing days of -- of thoroughbreds and a hundred and twenty-five of standardbred, or vice versa. It's coming into a bill and telling racetrack owners exactly how many racing days they have to have. And that's the power of the Racing Board: to have all these hearings, to have all these racetrack owners, horsemen, come forward and have a -- meeting after meeting after meeting and then come out with a determination of how many racing days they should have or not have at individual tracks. To actually come up with a bill that just comes out to Fairmount Park and dictates to a track how many days they must have and how many days you must operate - that's like going to other businesses and saying, "Hey, if you want to operate a tavern, or if you want to operate an employment agency, or you want to operate any type of business in this State, you have to be open a certain amount of days" - is very, very dangerous. Now I don't know why the amendment was pulled off that could have solved all this problem, but to actually go out and have someone dictate how many racing days certain tracks may have, you're going to have other people from other constituencies come out and tell Arlington how many days they have to operate, or Sportsman's or Hawthorne. And you might as well abolish the Racing Board and take the Governor's Office right out of it, if we're going to get into that type of business.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Thomas Dunn.

SENATOR T. DUNN:

Thank you, Mr. President. I may have a conflict of interest on this bill, but I intend to vote my conscience.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Senator O'Daniel.

SENATOR O'DANIEL:

Yes. My feeling about this legislation: This is a horsemen's bill. And I understand why the tracks want to have fewer racing days, because they don't have to pay the purse and they can simulcast. And it's really beneficial to the -- to the tracks, and it's also beneficial to -- to the off-track betting parlors and all, because if they don't -- if they don't have more racing days, then it doesn't cost them as much to operate and they can simulcast from Chicago and all. And it's very detrimental to -- to the horsemen and all, because they can have their horses there and only maybe get to race two or three days the -- a week. But if they -- if they're simulcasting, they can-- they can make more money. So this is really the essence of -- of the bill. This is a horsemen's bill, and it would provide them to have more days and more purses.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator LaPaille.

SENATOR LaPAILLE:

Yes. Will the Gentleman yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates that he will.

SENATOR LaPAILLE:

Senator Watson, Senator Raica had talked about the possible damage to the Chicago tracks. As I would see this, you would not be competing with taking days away from any of the major tracks there, because it's not the same market. Would that be true?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

Yes, it would. This does not impact the Chicago tracks. It

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

only impacts Fairmount in Collinsville, and it has nothing to do with -- with those tracks in -- in Senator Raica's or others' districts.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Topinka.

SENATOR TOPINKA:

Yes. A question of the sponsor, if I may.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

SENATOR TOPINKA:

Yes. Senator Raica and I, because of where our districts are located, as well as Senator Cronin, share Sportsman's Park, Hawthorne Park and Maywood Park. So the hoofed animals of our districts are rather important to us. Where do those parks and those -- and -- and the tracks, in general, in that area, the inner-city tracks, where do they fall on this bill? Do they support it? Do they agree to it? Are they neutral? Where are they, and how will they be affected?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson.

SENATOR WATSON:

There are -- some of them are neutral and some of them probably are opposing this because of what was said earlier about the precedent that this establishes. Those tracks, some of them, don't like the idea of the General Assembly dictating racing dates. They like -- they think that should be done by the Racing Board. We are coming in here doing this, not to the contrary or the detriment to the Chicago tracks, but their concern is of just the precedent that we're establishing here.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Watson may close.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR WATSON:

Well, thank you. I appreciate the discussion, the questions and the support and even the opposition. It's been a good debate, and I -- I thank you for that. And I know, as Senator Jacobs said, the horse racing industry is -- is in trouble in Illinois and for various reasons, and we don't necessarily need to go into that. We have done a great deal for the horse racing industry to continue to try to make it a viable industry here in our State. We cut the pari-mutuel betting tax in half. We've done other things to try to create more profit for the tracks. But where I'm coming from on this, and where those of us who are concerned about what this does to the industry - and that's the people who work at the tracks, that's the labor people who work there; that's the horsemen, the breeders, the trainers, who are all impacted with this -- with this industry. What happens is, when you reduce the number of dates, obviously you reduce their -- their ability to make an income. We're asking Fairmount Track to increase those dates. Negotiations are going on, as I say, as we speak, to hopefully satisfy the concerns of Fairmount in another manner. But we feel we have to go forth with this because of the economic impact that this is going to have in southwestern Illinois and what would happen if they continue to decline in the number of race dates. And I would appreciate your support.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall House Bill 749 pass. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 33, the Nays are 16, 7 voting Present. House Bill 749, having received the constitutional majority, is declared passed. Senator Cullerton, for what purpose do you arise?

SENATOR CULLERTON:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR CULLERTON:

Mr. President, a couple weeks ago, Senator Watson had a broom that he was waving. And we were looking for that broom, because the Cubs have defeated the Cardinals the last two games, and today's the third game. And I'm just wondering if that broom's available for us tomorrow.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Watson, do you wish to respond?

SENATOR WATSON:

It ain't over till it's over. They've got a game tonight.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. We'll take two out of three. We need to ask for a Democratic Caucus immediately.

PRESIDING OFFICER: (SENATOR WEAVER)

How long will your caucus be, Senator?

SENATOR CULLERTON:

Oh, it probably shouldn't take longer than an hour.

PRESIDING OFFICER: (SENATOR WEAVER)

Very good. The Senate will stand in recess until the hour of 2:30. Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President. I would also like to request a Republican Caucus in President Philip's Office immediately.

PRESIDING OFFICER: (SENATOR WEAVER)

Senate will stand in recess until 2:30.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

(SENATE STANDS IN RECESS)

(SENATE RECONVENES)

PRESIDING OFFICER: (SENATOR WEAVER)

The Senate will come to order. Mr. Secretary, Motions.

SECRETARY HARRY:

Senator Ralph Dunn has filed a motion with respect to Senate Amendment 2 to House Bill 1009.

Senator Demuzio has filed a motion with respect to Senate Amendment 2 to House Bill 1126.

Senator Severns has filed a motion with respect to Amendments 1 and 2 to House Bill 1300, also Amendment 3 to House Bill 1816.

Senator Garcia has filed -- that is not a motion, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. The Senate will be starting on House Bills 2nd Reading. We'll go through the appropriation bills and then come back and pick up other than appropriation bills on 2nd Reading. Give everyone a chance to advance those bills to 3rd Reading for tomorrow. Senator Maitland, are you ready on House Bill No. 5? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 5.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 12, Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

House Bill 12.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 26. Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 26.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 848. Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 848.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 917, Senator Maitland? House Bill 917, -- Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 917.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland. Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Floor Amendment No. 3 is an increase of one hundred and one thousand five hundred dollars for the -- primarily for the Christa McAuliffe Fellowship and -- and a couple of other items that were inadvertently left out of Committee Amendment No. 1. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion?

SENATOR MAITLAND:

It also deletes - Mr. President, I'm sorry - the effective date.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? All in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Maitland, on House Bill 1243? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1243.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1. Amendment No. 2 was defeated.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senator Maitland.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Floor Amendment No. 4.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 4 is a reduction of twenty-two million forty-seven thousand in GRF and a reduction of seventy-three thousand four hundred in other funds. It is primarily an elimination of the twenty-one million dollars that was in the FY'94 budget for group health. That -- that revenue was, as you recall, in the supplemental appropriation that passed out of here some weeks ago. I would move for the adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, all in favor, signify by saying Aye. Opposed, Nay. Amendment's adopted. Are there further amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. House Bill 1244. Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1244.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Floor...

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 2 is an increase of one hundred and seventy-two thousand seven hundred dollars in General Revenue and thirty-nine million seven hundred and eighteen thousand four hundred dollars in -- in other funds. Makes Senate guideline reductions and implements BOB recommendations as detailed in the agency summaries throughout this bill. I would seek and move its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, all in favor, signify by saying Aye. Opposed, Nay. The amendment's adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard, on Floor Amendment No. 3.

SENATOR WOODYARD:

Yes. Thank you, Mr. President and Members of the Senate. Senate Floor Amendment No. 3 is one million five hundred and forty-three thousand one hundred and twenty dollars to open and keep open our forty-three State parks.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I'd just like to identify to the Members that this is a million and a half dollars that is not in the State budget and has not been accounted for by any cuts anywhere else to pay for. I recognize that it's a laudable purpose, and that it's keeping the State parks open for hours over and above that which the Governor suggested, but I just am concerned that this is another deficit

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

financing, inasmuch as there was no effort to find this million and a half dollars anywhere else. I want to bring it to the attention of the Members.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Woodyard, to close.

SENATOR WOODYARD:

Well, this certainly is an issue that's been around a year and a half or so, and -- and I certainly last year supported the fee package to keep our parks open. I've worked on the fee package that would fund keeping the parks open. That's still over in the House. Possibly, when that gets over here, we'll be able to pass that. But at this point in time, I don't have any recourse but to try to -- to attach this amendment to keep our parks open. And certainly this is a -- one of those things that practically every district - certainly all of downstate districts - has a State park in it. There's nothing partisan at all about this -- this amendment. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard's moved the adoption of Floor Amendment No. 3 to House Bill 1244. All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Any further amendments?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senators Philip and Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Amendment No. 4.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Floor Amendment No. 4 is an increase of two hundred twenty-nine thousand two hundred dollars. It adds operational expenses for the Lockport Gallery of a hundred and thirty-four

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

thousand two hundred, and the Chicago Art Gallery of ninety-five thousand dollars. I would move for its adoption, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, Senator Maitland moves the adoption of Amendment No. 4 to House Bill 1244. All in favor, signify by saying Aye. Opposed, Nay. Amendment's adopted. Are there further amendments?

SECRETARY HARRY:

Floor Amendment No. 5, offered by Senator Karpziel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel, on Amendment No. 5.

SENATOR KARPIEL:

Thank you. Amendment No. 5 adds six hundred thousand -- GRF grant for purchase and renovation of the St. Charles Skyline Sewer and Water Company.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment I will ask for a roll call on. I think at this stage of the game when we are, according to the Governor, at least a hundred million dollars short in the budget, and schools are closing, we do not have an additional six or eight hundred thousand dollars, or any number, that hasn't been identified by a cut elsewhere to fund a particular project in any person's district. I would be wont to call it pork, because in my district we don't deal with those kind of things, but whatever you would call it, whether it's chicken or any other type of game, that's all that this would represent. It is not in the budget, and I do not think we should be dealing with it at this time, when there are so many pressing needs like hospitals and schools and nursing homes to be funded.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Fawell.

SENATOR FAWELL:

Yes. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield.

SENATOR FAWELL:

Senator Karpziel, could you tell me... Senator Karpziel?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel, there's being a -- a question is being asked of you. Senator Karpziel, will you yield for a question?

SENATOR FAWELL:

Senator Karpziel, could you tell me what kind of -- of a problem that this plant is in?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Well, Senator Fawell, I put a -- I had distributed a letter from the Director of EPA and had it put on everyone's desk. This is a private sewage treatment plant that is in complete disrepair and is not doing the job. Sixty percent of the usage, or the flow, for -- in this sewage treatment plant comes from a State facility. It comes from one of our youth correctional facilities in St. Charles Township. So, I do think that the State has a stake in keeping up this sewage treatment plant, and also that's also where they get their water. The problem is -- is that we cannot get the owner of this private facility to -- get it up to grade. We've worked on this for several years. We've exhausted just about every possible solution, and it comes down to condemning the plant and having someone else take it over. The possibility of simply closing it doesn't exist or no one there will have service.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Fawell?

SENATOR FAWELL:

Senator Karpziel, could you tell me what would -- might happen if -- if indeed this doesn't -- this doesn't get through? What will happen to our facility?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpziel.

SENATOR KARPIEL:

Well, ultimately they're not going to have any sewage treatment facility or any water.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. While I reluctantly stand to oppose my colleague's amendment, it is one that is a direct hit to the General Revenue Fund. If each of us brought projects forward - and I'm certain we could from all of our districts - and took the same hit, we'd -- we'd be talking about an additional thirty million dollars, just in this Chamber, that we'd have to make up. If this project is considered a priority - and I understand its legitimacy - by the EPA, then the EPA should be putting it in their budget, which they did not. I would urge a No vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you. I rise in -- in support for Penny I think the EPA should have put this in their budget, but I think also think the General Assembly's obligation when the EPA makes a mistake. I'd remind the Members again that this is near my district. Sixty percent of the effluent that goes into this private utility that

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

doesn't function, that is in violation of federal regulations and State regulations, that we can't close because we have a State facility that's discharging sixty percent of the effluent, you know, these -- we -- we have exhausted three years' administrative solutions to this, and we're just trying to help the IEPA redefine their needs. And the alternative of closing that State facility is a lot greater than six hundred thousand dollars.

END OF TAPE

TAPE 2

SENATOR RAUSCHENBERGER:

I respectfully request support for this amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Palmer? Senator Karpiel may close.

SENATOR KARPIEL:

Thank you. I just ask for your affirmative vote.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Karpiel has moved the adoption of Amendment No. 5 to House Bill 1244. All in favor, signify by saying Aye. There's been a roll call requested. Those in favor will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 27, none voting Present. No. 5 -- Floor Amendment No. 5 is adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1245, Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1245.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Are there further amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Donahue.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Floor Amendment No. 2 reduces GRF by one million one hundred ninety-eight thousand five hundred ninety-four dollars, and increases, by two hundred and fifty thousand, other funds. And I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Ladies and Gentlemen of the city -- Senate. I come asking that we do not cut the budget here for the Department of Human Services, neither for the department of -- the Commission for Human Services. They were cut by six thousand nine hundred dollars. Their budget -- their request was six million -- six -- three hundred and seventy-six thousand dollars, and they were cut -- they're cutting six thousand nine hundred dollars from GRF and thirty-four thousand eight hundred -- eight hundred dollars was going to go to the Commission, not to the

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Department. And this is going to put them in a terrible plight, because they are underfunded as it is. They do not have monies for travel and this is their '93 budget, which is not adequate. Their commodities, seven thousand dollars of their Fiscal '93 bills was basic office supplies, pens and papers. They will not be able to pay that. They're printing without the fund requested for Fiscal '94. The Commission will not have any letterheads, any -- any envelopes and copies of -- of our own Act and rules and regulations. The fund for polls would be depleted <sic> by the end of August '93. The Telecom - the Commission has not paid a telephone bill since January, 1993. Now this is a State facility. Continuing to fund Telecom at this level could result in our phone services being cut off in January, 1994. This is basic services; we do not have any beepers or cellular phones, and our budget request for '94 is not more than what we were appropriated in 1993. What I'm asking this Body is to reconsider, now you -- you're -- the -- the Republican Party started this agency under President -- Governor Thompson, and you have -- they have suffered every year that they have been in operation. Now you are cutting them down so low that they do not have money to even function with, yet they are a State agency. And I'm asking you today to please restore their money. Do not cut their budget. Give them something to work with, so that they can say that they are a Department of Human Services for the State of Illinois. And I appeal to all of you here, please do not vote to cut this budget.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Palmer.

SENATOR PALMER:

Thank you, Mr. President. A question of the sponsor.

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield.

SENATOR PALMER:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator Donahue, I notice on my analysis that this amendment eliminates the Public Counsel. Isn't that the counsel that represents the people in utility rate increases?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

You're correct, Senator Palmer, but so do a lot of other groups intervene, and I would add that the House cut this -- this department as well, or this person as well.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Severns. Senator Palmer, would you turn on your light please?

SENATOR PALMER:

Yes. I'm sorry, Mr. President. Another question of the sponsor. Yesterday, as I recall, we -- not certainly by my vote, but we passed out of this Body a bill that will now put CUB in competition with, I believe, a thousand other organizations, so, to say that CUB also duplicates this at this point could be questionable -- I'm -- like to -- if you would answer that, I'd appreciate it.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

Well, thank you, Mr. President. You're absolutely correct, Senator Palmer, but they still have the ability to intervene as well as does the Attorney General, and a number of other departments and agencies in this -- in our government, have the ability to intervene on cases of the public.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I just rise to oppose this Floor

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

amendment, and in good part for the reasons just cited by Senator Donahue. Yesterday, once again, we passed a bill to eliminate the Citizens Utility Board; today we're trying to eliminate public counsel. Senator Donahue said that, "Well, you can still have an intervention by the Attorney General." Well, one of the bills here is going to cut the Attorney General's budget by over five million dollars. Three different groups that intervene on behalf of consumers to lower utility rates, and they're all being cut; they're all being knocked down, being eliminated. Who's going to represent consumers before these utility groups? What -- what you're doing by this is tacitly agreeing to utility fee increases for utility companies. And those of you who vote for this are going to have to carry that burden in the next election, and I can assure you, you will be reminded of that in the next election. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Senator -- question of the sponsors, please?

PRESIDING OFFICER: (SENATOR WEAVER)

She indicates she would yield.

SENATOR COLLINS:

Senator Donahue, how many public counsels does the department have at this -- at this time?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

There's two.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Currently, they have two, and so, now you're cutting out both

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

of those positions?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

That is correct.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Collins.

SENATOR COLLINS:

Senator, what's -- what's their back caseload right now waiting to be processed?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

I have no idea, Senator.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further discussion? Senator Collins.

SENATOR COLLINS:

Yes. Senator, what -- what rationale, or what criteria did you use. I -- I'm sure that, you know, you have some reason for what you're doing - some legitimate reasons, based on some definitive data. What rationale did you use to defend this kind of position?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue.

SENATOR DONAHUE:

Well, quite frankly, Senator, there is a -- frees up money that we can use for DCFS, Public Aid and other uses, and when you think that we have other groups and other entities that do exactly the same thing, such as the Attorney General, as I have already indicated, the City of Chicago, Community Action for Fair Utility Practices, small business advocate, which is also something of State government, and to indicate that we have eliminated the

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Citizens Utility Board is ludicrous. We haven't done that.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Collins? You had further questions?

SENATOR COLLINS:

You -- you -- you -- but as Senator Welch has said, you've also cut the Attorney General's budget. But the reality is, these -- this functions is essential to the Department of Human Rights, and you could use that same rationale to say that you could cut out the -- the -- the -- the Senate, because the House could probably very well do what we're doing, and -- and -- and -- and probably wouldn't have as many problems as we're having with two Houses. You can do that. That's no real definitive answer here, Senator. You are taking away the only -- the only two counsels -- legal representatives -- that that department has to do the job, and you already know by -- by our own admission as a General Assembly and most certainly the House and Senate recognize that that agency has a backlog of cases that they're not processing, that they're not -- responding, right now to the consumers' needs, and which it was established to do. I just think it's totally irresponsible. You can find some other means of cutting, you know, money. You're not saving that much money by cutting these two counsels, but you most certainly are inflicting some hardship upon that agencies, and you most certainly is inhibiting their ability to do the job that they were created to do.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue, to close.

SENATOR DONAHUE:

Well, thank you, Mr. President. I would just ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Donahue moves the adoption of Floor Amendment No. 2 to

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

House Bill 1245. All in favor, signify by saying Aye. Roll call has been requested. Those in favor -- adopting the Amendment No. 2 to 1245 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 26, none voting Present. Senate Amendment -- Floor -- Senate Floor Amendment No. 2 to House Bill 1245 is adopted. Are there further amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. On House Bill 1246, Senator Maitland? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1246.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1; Amendments 2 and 3 were defeated.

PRESIDING OFFICER: (SENATOR WEAVER)

Are there further amendments?

SECRETARY HARRY:

Floor Amendment No. 6, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Floor Amendment No. 6.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 6 is a reduction of a hundred and three thousand nine hundred dollars in General Revenue. It is an increase of six million six hundred forty-eight thousand in other funds. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Carroll.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR CARROLL:

Thank you, Mr. President. If the sponsor would yield to a question.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he will yield.

SENATOR CARROLL:

Thank you, Mr. President. Senator Maitland, as to Military Affairs: can you explain why we are using State funds - Capital Development funds - to build a museum and a military academy? I thought generally, we received federal funds for things we were doing for the Department of Military Affairs, and as I now see -- read this, these are just special projects that would be paid for out of Capital Development Funds, therefore General Revenue, or regular taxes would be paying for a military academy and a museum.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland. Let's take our caucuses off the Floor.  
Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senator Carroll, we are advised that -- Senator Carroll -- Carroll -- okay. We are advised that we are mandated by law to preserve the -- the artifacts of the National Guard, and that's what this does.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Senator Berman just asked me, "Hey, what?" No. Normally we get federal military dollars for things they mandate us to do. They generally pay the operations and all that. Why are we being required to maintain a military academy and a museum out of State tax dollars, which is what it takes to pay back the bonds that CDB would issue to build, construct? I -- I assume eventually we

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

would have to maintain a museum? I mean, what honor do we have when -- They're talking about closing bases in Illinois; that sounds to me more important to try and keep bases open than to spend General Revenue dollars for a museum and a military academy.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Carroll, with all due respect, we're apples and oranges here, okay? These -- you're talking about the closing of federal bases. These are State artifacts. We are required by law -- there are no federal dollars to do anything with respect to the museum.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Hendon. Senator Topinka.

SENATOR TOPINKA:

Yes. If I may, Mr. Chairman, I would, you know, speak in favor of this, because, I think, when Senator Carroll brings up the question of -- of Camp Lincoln and the Museum, just having had some interaction with that, there is a major problem over there in that, Civil War relics that have no place to really go and are not being kept up are disintegrating. And our whole history, of course, Illinois being very much involved in the Civil War, if we don't have things kind of taken care of on that front, they may be gone forever and -- and a whole part of our history will be gone. So it's not really anything close to military bases. I think this is something we all want to save and -- and kind of pass on to our children.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland moves the adoption of Amendment No. 6 to House Bill 1246. All in favor, signify by saying Aye. Opposed, Nay. Motion carries. Are there further amendments, Mr.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Secretary?

SECRETARY HARRY:

Floor Amendment No. 7, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Amendment No. 7.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 7 is an increase of eight hundred thousand dollars. It is a suggestion from the Bureau, I understand - the Comptroller and others. I know of no opposition. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I just wanted to rise on this legislation. My light was flashing last time, but I cut it off, and I guess you didn't see it when it came back up. But I just want to say that if we can put money in, this is where -- the -- the amendments that were defeated, one of them was mine for the Scared Straight Program, which I care a great deal about, and if we can -- I am concerned too about maintaining our history, but if we don't do something about our kids going to the penitentiary we will have no history to maintain. So it's fine to keep museums open, it's fine to do some of these other things, but we better pay attention to keeping our young people out of prison before they go, or we will have no museums or no history to even worry about.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment No. -- Floor Amendment No. 7 to House Bill 1246. All in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. Amendment No. 7 is adopted. Are there further

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1247. Senator Maitland. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1247.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1; Amendment No. 2 was defeated.

PRESIDING OFFICER: (SENATOR WEAVER)

Are there further amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senators Maitland and Fawell.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Amendment No. 3.

SENATOR MAITLAND:

Thank you very much, Mr. President and Members of the Senate. Senate Floor Amendment No. 3 is a -- is a -- decrease of three hundred and seventeen thousand eight hundred dollars in General Revenue Funds. It is a reduction of one hundred twenty-four million four hundred and one thousand dollars in other funds. The greatest amount of this -- one hundred and twenty-four million is the one hundred and ten million dollars that we had put in there -- that was in there for the economic recovery program, which we now know will not take place. And I would seek a move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Thank you, Mr. President, Members of the Senate. Let me just question one thing. Basically, we are taking General Revenue Funds out of the Operations Department of Transportation. In past years when we did that, or suggested that, the Department was around very quickly identifying whose projects would be cut by such a drastic and draconian cut in their operations. And when we asked them yesterday where were those lists this time, so that Members would know what road projects they were losing, somehow this year, I guess they didn't have the ability to figure out whose projects would be cut when the General Revenue Funds were being eliminated by this amendment. I assume there will be some projects that will have to be eliminated, but I guess if the department isn't overly concerned, maybe we shouldn't be.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Maitland moves the adoption of Amendment -- Floor Amendment No. 3 to House Bill 1247. Yes, Senator -- Senator Maitland.

SENATOR MAITLAND:

Well, thank you very much, Mr. President. Let me just -- let me just comment and -- and -- and Senator Carroll, I -- I hear you and heard you yesterday, and your points are well-taken. We -- we are dealing here with -- with operations that are funded out of the Road Fund. And we have been working with IDOT, as you have been - a very good working relationship - but we want to simply make sure that we're not spending too many dollars - Road Fund dollars in operations - and perhaps a result of this might be - might be - an increase in the number of road projects, and we'll work together on this, and I would again, Mr. President, move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

I know that you were closing, just if I could then: If there's going to be more road projects, obviously we'd like to see that list as well.

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Amendment No. 3 be adopted. All in favor, signify by saying Aye. Opposed, Nay. Amendment No. 3 to House Bill 1247 is adopted. Further amendments?

SECRETARY HARRY:

Floor Amendment No. 4, offered by Senators Fitzgerald, Philip and Karpel.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald.

SENATOR FITZGERALD:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Floor Amendment No. 4 is a 4.3-million-dollar add-on for road improvements at the Roselle, Golf and Higgins Road triangle, in Schaumburg Township. This has been a project that in 1988, I believe, former Governor Thompson appeared at the intersection there with the -- television cameras and all, to say that this is an example of why we need an increase in the motor fuel tax to fund road improvements in -- in east suburban gridlock, and as yet we still haven't had the road improvements. It's in three of our districts, and I'd urge your support. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there a discussion? Senator Carroll.

SENATOR CARROLL:

While I can't touch it and I can't eat it in my district, it looks and smells to me like pork, and I would suggest that there isn't funds for this without truly harming other districts, and would suggest that we do not have funds for these kind of projects and would ask for a roll call, and I would suggest opposition.

PRESIDING OFFICER: (SENATOR WEAVER)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator Severns.

SENATOR SEVERNS:

Thank you, Mr. President, Members of the Senate. I'm a little surprised that my friend and colleague and cosponsor - chief sponsor of the generally accepted accounting principles - would be adding on 4.3 million dollars. I agree, and I would vote the same way.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald, do you wish to close?

SENATOR FITZGERALD:

This is an improvement that will probably come out of other things in Schaumburg District 1. That's probably what IDOT's going to do. This has been a project that has been on the drawing books and the communities have wanted for years. We've been putting pressure on IDOT. Senators Philip, Karpziel and I, and all the Representatives have written in support of this. It's a very needed improvement. It's perhaps the most needed improvement of -- in my area, and as you notice, we took a hundred and twenty-four million out of their budget in -- in Floor Amendment No. 3, and we're trying to reallocate it where we believe it's really needed. I'd appreciate your vote on this.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald moves the adoption of Floor Amendment No. 4 to House Bill 1247. All in favor will vote Aye. All opposed, vote Nay. Voting is open. Take it easy, guys. Have all voted who wish? Take the record. On that question, the Ayes are 27, the Nays are 31. Floor Amendment No. 4, having failed to receive the constitutional majority, is declared lost. Are there further -- excuse me, Senator -- what purpose do you arise, Senator?

SENATOR FITZGERALD:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

For verification of the negative votes.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald requests a verification. That request is always in order. Mr. Secretary, will you read the negative votes?

SECRETARY HARRY:

The following voted in the negative: Berman, Carroll, Collins, Cronin, Cullerton, DeLeo, del Valle, Demuzio, Tom Dunn, Farley, Garcia, Hall, Hawkinson, Hendon, Jacobs, Jones, LaPaille, Mahar, Molaro, O'Daniel, Palmer, Peterson, Raica, Rea, Severns, Shadid, Shaw, Smith, Stern, Trotter and Welch.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Fitzgerald, do you question the presence of any of the negative votes?

SENATOR FITZGERALD:

Senator DeLeo.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator -- Senator DeLeo on the Floor? Oh, Molaro, I thought you said DeLeo.

SENATOR FITZGERALD:

Senator Shaw. DeLeo -- DeLeo is not here.

PRESIDING OFFICER: (SENATOR WEAVER)

Did you say DeLeo?

SENATOR FITZGERALD:

DeLeo is not here, by the way.

PRESIDING OFFICER: (SENATOR WEAVER)

Strike his name.

SENATOR FITZGERALD:

He just walked in. Shaw is here. All right. Thank you.

PRESIDING OFFICER: (SENATOR WEAVER)

Do you question the presence of any other? On a...

SENATOR FITZGERALD:

Senator Peterson.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

He's in his seat.

SENATOR FITZGERALD:

Senator Mahar.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Mahar is in his seat. Do you have a question of any other Senator?

SENATOR FITZGERALD:

Senator Cronin.

PRESIDING OFFICER: (SENATOR WEAVER)

Any further questions, Senator Fitzgerald? On a verified roll call, there are 27 Ayes and 30 Nays. Having failed to receive the constitutional majority, the amendment is defeated. Any further amendments?

SECRETARY HARRY:

Floor Amendment No. 5, offered by Senator Woodyard.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Woodyard.

SENATOR WOODYARD:

Well, thank you, Mr. President, Members of the Senate. I certainly hope I don't get the same treatment as the last amendment. Kind of wish I had had an amendment before that one. Anyway, this does add one million dollars of Road Fund money for restoration of roads in Iroquois County. And what has happened: The State of Illinois entered into a contract with Iroquois County some thirteen years ago to restore these roads and turn them back to the county. There were three hundred and twenty miles of those roads at that time; half of the project has been done, thirteen years later, and I'm just simply trying to add this money to speed up that -- process, and get those roads repaired. They're almost undrivable anymore. I would ask for a favorable adoption of Amendment No. 5.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I think Senator Woodyard recognized what it was, and as I said before, while I can't touch it, we learned what it is. And this is just a million dollars that maybe Governor Thompson had promised. We all know what happened with a lot of those promises of prior administrations, but when it looks and smells and sounds like pork, I guess that's what it is, and we just don't have the money for it. I would suggest that we not adopt this amendment, and would ask for a roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Severns. Senator Woodyard, to close. There's been a request for a roll call. Those in favor of Floor Amendment No. 5 will vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 31, the Nays are 25. Floor Amendment No. 5, having received the constitutional majority, is declared passed. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Severns, on 1326? Read the bill, Mr. Secretary.

SECRETARY HARRY:

...(microphone cutoff)...Bill 1326.

(Secretary reads title of bill)

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Severns.

SECRETARY HARRY:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Severns. No amendments. 3rd Reading. Excuse me. On Senate <sic> (House) Bill 1525, Senator Philip. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1525.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

Are there Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Floor Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 2 seeks to implement the Secretary's Live and Learn Initiative. There is a reduction of 1.5 million dollars in General Revenue Funds. Is an increase of seventeen million nine hundred sixteen thousand dollars in -- in other funds, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. We know what -- part of what the Live and Learn Program is being used for. Can you break down those amounts, Senator, as to how much is going to libraries for this fiscal year; how much is going to the -- the Secretary of State's Office for -- for operations, and how much is going to the -- the organ transplant? Have you got those numbers broken down?

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Mr. President, I'm sorry. I -- I -- I did not understand what the Gentleman said.

PRESIDING OFFICER: (SENATOR WEAVER)

If we might have a little order, maybe the sponsor of the amendment could hear the questions. Could we take our conferences off the Floor, Senator Watson? Senator Jacobs, would you repeat your question?

SENATOR JACOBS:

Yeah. Just again, I guess I have them here, what -- what amounts are going into the GRF, and what's going into others. But here again, this is being sold as a 18.9-million-dollar program for libraries, and what my question is, is how much is going into the libraries for this year; how much is going into the Secretary of State's budget for operations for this year; and then also, how much is going in for the donor program for this year?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I -- if I understood you correctly, and I've got to admit to you I -- I didn't even hear exactly your numbers when you were reciting them a second time. But I think you were going over the numbers of the allocation for Live and Learn. Is that correct? And I think you were correct. Eighteen, nine, twelve and two. Were those the numbers you gave me? And you want to know now what additional amounts of -- I'm sorry, I didn't understand you then.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

What I want to know, Senator, is: because this program will not take effect until sixty days after it's signed, how much money is being appropriated for libraries for this year - this fiscal year? How -- under the Live and Let Learn <sic> -- or let die, whatever -- and two million dollars was to go for -- for donors and 12.1 million, I think it was, was to go to operations. How is that now being broke down, because you're going to have appreciably less than thirty-three million dollars into the Fund this year?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Jacobs, I'm going to tell you, it's either your microphone or the sound or something. We -- none of us can understand what you're saying. I apologize.

PRESIDING OFFICER: (SENATOR WEAVER)

Will we please take our conferences off of the Floor, and give the speaker a little attention? Senator Jacobs, once again, for the third time.

SENATOR JACOBS:

Let me just ask the question, maybe this way it would be easier. How much, in this fiscal year coming up, are we going to be spending from Live and Learn for operations?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, it -- it will be twelve million for operations. Further -- further -- further answers? That's it? All right.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

Again, to reiterate: because there will not be thirty-three

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

million dollars generated this year, and you're putting 12.1 million into operations, how much then is going to actually be going to libraries? I'm a little suspect of this, and let me tell you why. Last year, this same administration balanced its budget on the backs of libraries. They have sold Live and Learn on the idea that we are going to give all this money to libraries. Now, I want to know, because it is reduced, and we know we're giving 12.1 to the operations, how much is truly going to go to libraries this year?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, it -- it will be about ten-twelfths of each one of those other two numbers.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Jones. Senator Jacobs, did you have a further question?

SENATOR JACOBS:

Yeah. I -- I -- I guess, I'm frustrated, because I don't -- I don't understand the answer. What -- John -- and I'm not trying -- I'm not trying to -- to -- to do anything with this, I'm just trying to find out, so we can tell our libraries back home who thought they were going to get, this fiscal year, 18.9 million dollars; and inasmuch as we have given 12.1 of the Live and Learn to operations, there cannot be 18.9 million dollars for libraries. So how much is going to be available for libraries, because this is only going to be about an eight-month program this year?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, do you want the whole list for libraries? You want me to go down the list? Is that what you want? I mean this

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

information was -- is available to you, but I'll read it here on the Floor if you'd like. Let's just take the Body's time and we'll go down the whole list. All right?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs, do you want a total or individual? Senator Jacobs.

SENATOR JACOBS:

Okay. All I'm trying to find out: Supposedly Live and Learn, under a full year, would be thirty-three million dollars. This year it will not be a full year; therefore you have to assume a time certain whenever this bill will become law and dollars will be coming into it. Already you have taken 12.1 million of the full amount and put it into operations, which, in my theory, would mean there is only about twelve to thirteen million dollars for the organ transplant program and for the library program, rather than 18.9 and 2 million.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Jacobs, to the best of our calculation, the number would be 15.75, fifteen million seven hundred and fifty thousand. That's the best of our -- our ability right now to compute on the Floor.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs.

SENATOR JACOBS:

So, now that -- that is pretty much the same as for operations. And did we not cut the Attorney General's budget by five -- five million dollars? We're increasing the Secretary of State's budget by 12.1 million dollars, and -- and as I understand it, this goes into the General Fund, and as it goes in the General Fund, then it may be distributed by the Secretary of State for

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

libraries. May be distributed. Is that correct?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, this is a -- you obviously haven't been briefed by your staff, but this goes into the Live and Learn Fund.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? If not, Senator Maitland may close. Senator Maitland moves the adoption of Floor Amendment No. 2 to House Bill 1525. All in favor, signify by saying Aye. All you have to do is put your light on. Senator Jones.

SENATOR JONES:

Yeah. Thank you, Mr. President. In relationship to this bill and this amendment, and I -- I talked to the President on the other side, as relate to all the constitutional officers. Now we all know what this amendment does, and we know what we as leaders had discussed as relate to the constitutional officers. Now, what I would like to hear from the President is that, as relate to the Attorney General's budget, can we have an agreement that that -- the amendment that you have adopted in committee, that we will put that bill in a conference committee, so that we can deal with the issue as relate to the appropriation. We have before us a increase in the Secretary of State appropriation, and this is the only increase that I have no problem with that as such. However, I think all constitutional officers should be treated equally and fairly, so I would appreciate a response along those lines before we proceed with this issue.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senator Jones, let me -- let me indicate to you that -- that each

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

and every one of the constitutional officers came to the committee; each one of them responded in detail and honestly to the questions that were asked by both sides of the aisle, without exception. You saw us move the Treasurer's bill out unamended. You saw us move the Comptroller's and -- Comptroller and Treasurer's bill to 3rd Reading unamended, because they answered the questions completely. We have some questions with respect to the Attorney General's bill, and he absolutely refused to respond to the questions we asked - as a matter of fact, resented the fact that we dare ask. He didn't come to my office. He didn't come to Senator Philip's office. Simply respond to the questions and that's all we ask, and until we get those answers, we cannot help him.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jones, you through? Senator Jones.

SENATOR JONES:

Well, Senator Maitland, I, too, sat there with the Attorney General, and when you say he did not answer the questions, he did answer the questions as such. But one thing that does concern me that this is the only constitutional officer whose budget - as relate to GRF - is being cut by five million dollars, when that GRF line item only increased by thirty-four thousand. That being the case, on the amendment, I'll request the Members on this side of the aisle to vote Present at this time on this amendment, because -- until such time as we can resolve that issue. So I'll request my side just vote Present on the amendment at this time.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Jacobs, for a second time.

SENATOR JACOBS:

Thank you, Mr. President. I apologize for rising to second time, but -- but in a substantive bill -- and I think we have to go to that for just a second, because the appropriation relies

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

upon the substantive portion, and I think that that's where the confusion comes in, Senator. Whenever I was saying that this is not necessarily something that is going to go into the Fund, because money's deposited into the Fund, yes, it's deposited there, but then it's -- may -- may, subject to appropriation, be used by the Secretary of State for any or all of the following purposes: an organ donation; to provide additional funds for all types of library grants, so it may -- it's not that it shall. So this is not a -- a -- a sure thing that's going to be going on each year. This money is still going to be appropriated by -- by this particular Body each and every year, as it should, but again, whenever we're in a position to where last year, even though the money was in his budget, the Secretary of State balanced his budget on the back of libraries. What's to say that if he has a problem and we say we have to reduce it, that it's not going to be reduced again this year, and we again will survive on the backs of libraries?

PRESIDING OFFICER: (SENATOR WEAVER)

The question is, shall Floor Amendment No. 2 be adopted. All in favor will vote Aye. All opposed, vote Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, the Ayes are 32, the Nays are 2, 24 voting Present. Floor Amendment No. 2 is adopted. Are there further amendments, Mr. Secretary?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. For what purpose does Senator Watson arise?

SENATOR WATSON:

Yes. Thank you, Mr. President. A point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

State your point.

SENATOR WATSON:

Mr. President and Members, we have with us as a guest today, Steve Hoven, who's with the Regional Commerce and Growth Association out of St Louis, which includes, of course, the metropolitan area of metro east. And he's hosting the softball game this year - or the Commerce and Growth Association is, and -- as they did last year - and we want to welcome him to the Floor and we certainly want to thank him for their continued support. This -- this year something -- a little different twist is added, and you all should have a map and make sure you all understand it's not at Iles Park; it's at Lincoln. But we're going to have a drawing and those Members who are present at the game - they don't have to be players, you just come out and be attendants - there'll be a drawing and they're going to give away five autographed baseballs of Stan Musial. Also, there will be two sets of four tickets to Cub/Cardinal game, and the winning team -- the winning team will get - everybody on the team - will get a National League Baseball, which is made by Rawlings, located in St. Louis. So, more incentive for us to go out and do our best, and we want to thank Steve, and the Regional Commerce and Growth Association for putting this on for us.

PRESIDING OFFICER: (SENATOR WEAVER)

Thank you, Steve, very much. For what purpose does Senator Geo-Karis arise?

SENATOR GEO-KARIS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR WEAVER)

State your point.

SENATOR GEO-KARIS:

Mr. President and Ladies and Gentlemen of the Senate, I have the pleasure of introducing one of my former colleagues from the

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

House, who's -- was the first woman, I believe, to be an assistant majority leader, under Speaker Blair, the -- the Honorable Celeste "Cissy" Stiehl from Belleville, Illinois, who's visiting us today.

PRESIDING OFFICER: (SENATOR WEAVER)

Good to have you, Cissy. Senator Hall, for what purpose do you arise?

SENATOR HALL:

Well, I just wanted everyone to know that we're really honored and -- to have Celeste Stiehl here. She was a Representative for many years - a good Representative - and I'll tell you, we really are -- you know her husband is a federal judge. So she's -- and she's from the great City of Belleville.

PRESIDING OFFICER: (SENATOR WEAVER)

...(microphone cutoff)...what purpose does Senator Demuzio arise?

SENATOR DEMUZIO:

I -- I just wanted to tell Senator Watson that I -- I called my Uncle Stan Demuzio last night and asked him to sign those balls for you, so that's how you got them, Frank.

PRESIDING OFFICER: (SENATOR WEAVER)

On the Order of Senate <sic> (House) Bills 3rd -- 2nd Reading. Senator Severns, on 1551? Senator Severns? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1551.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Hasara, on 1693? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1693.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Hasara.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hasara.

SENATOR HASARA:

Thank you, Mr. President. Amendment No. 2 to House Bill 1693 provides 5.6 million for grants to various agencies: the U of I, SIU Med School, and the Department of Public Health, to implement a rural health initiative that passed three years ago. This is a result of many discussions with bipartisan legislators and SIU, U of I, and Public Health, and I would be glad to answer any questions, and would ask for a favorable roll call.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall the Senate adopt Floor Amendment No. 2 to House Bill 1693. All in favor, signify by saying Aye. Opposed, Nay. Amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Madigan, on 1721? Senator -- read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1721.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Floor Amendment No. 2.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 2 is a reduction of one hundred and eighty-seven thousand seven hundred and seven in General Revenue Funds, and a reduction of sixty-seven thousand seven hundred and fifty in other funds. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? If not, the question is, shall the Senate adopt Floor -- Amendment No. 2 to House Bill 1721. All those in favor, signify by saying Aye. Opposed, Nay. The Ayes have it. The amendment's adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. Senator Hall, on 1861, Mr. Secretary.

SECRETARY HARRY:

House Bill 1861.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1869, Mr. Secretary.

SECRETARY HARRY:

House Bill 1869.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1877, Senator Hall? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1877.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading. 1885, Senator Hall? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1885.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Appropriations adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Hall. Have there been any Floor amendments approved for consideration, Mr. Secretary?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland, on Senate -- Floor Amendment No. 2 to 1885.

SENATOR MAITLAND:

Thank you very much, Mr. President, Members of the Senate. Senate Floor Amendment No. 2 is a decrease of -- decrease of one million six hundred and sixty thousand dollars in General Revenue Funds. I would move for its adoption.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there discussion? Senator Hall.

SENATOR HALL:

Thank you, Mr. President and Ladies and Gentlemen of the Senate. This amendment reduces the agency to the FY'93

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

appropriation level, except for a collective bargaining increase in related line. The amendment eliminates the new -- the forty-three new GRF positions the agency requested for FY'94. Thirty-six positions were eliminated in FY'93, and the Department requested these new positions to handle the increase in caseload and backlog that resulted from the House cuts for FY'93. If these -- if this amendment goes through, it's going to increase the backlogs of their cases from fourteen hundred to sixteen hundred, and it will cause a delay of 1.5 to 1.8 years in -- so, I am asking for a passage and a -- defeat of this amendment. Oppose -- negative vote on this amendment.

PRESIDING OFFICER: (SENATOR WEAVER)

Further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Mr. President and Members of the Senate. I merely want to ditto what my colleague, Senator Hall, has stated about this, because I feel very keenly about it. That if this amendment passes, case backlogs will increase dramatically, and case delays will be lengthened. These attorneys represent needy people who have not had the money to represent themselves. This Department had thirty-six positions cut in Fiscal Year '93, and presently case backlogs is up to one thousand four hundred and eight people. If this legislation is passed, projected for 1994 will be one thousand six hundred people will be waiting for appeals. If this is not adopted, projection will be reduced to one thousand one hundred people. Current caseloads average one year and five months, and if this -- amendment is -- is -- passes, the delay would be up to one year and eight months. If the legislation is not passed, it will be one year and two months for people to be waiting for appeals. The Governor requested the increase of forty-three lawyers, and you have eliminated thirty-six of them. This request which -- will hurt the needy people who are waiting

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

for representation. These people are up for an appeal. They can't help themselves, but you can certainly help provide the lawyers that can help these people. You do not have enough lawyers to go around to help these people who are waiting for these backlogs, and I ask that you do not pass this legislation.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. This amendment raises a very interesting issue that a lot of people are not aware of. In the County of Cook, it's the only county out of a hundred and two counties where we, in our county, pay for the appellate representation. We have -- the Public Defender's Office has an appellate section, and they represent seventy percent of all of the defendants who have an appeal. The State Appellate Defender only represents about thirty percent. So that -- the point is that a great majority of the appellate defender's funds go outside of Cook County. So, when you cut this budget, you're not really so much hurting the Cook County to that great extent, but you're rather hurting the downstate areas. It's probably not even fair, of course, that Cook County should be the only county that would have to pay for this enormous cost, but the fact is -- and I wanted to point out and take this opportunity -- that when we cut this particular budget, it doesn't hurt Cook County as much as it hurts the rest of the State.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw.

SENATOR SHAW:

Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR WEAVER)

Indicates that he will.

SENATOR SHAW:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Yes. Senator Maitland, what does -- does these -- these lawyers, do they have anything to do with appealing the death penalty cases?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Shaw, some do.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw.

SENATOR SHAW:

How many people that are now on death row waiting for appeal -- and how would this affect them if we cut all of -- if -- if we pass this amendment, how would this affect those people in terms of time that they would have to wait?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator Shaw, obviously I can't answer specifically that question, nor can anybody else. So let -- I think we better get things into perspective here, okay? First of all -- first of all, the Governor -- we did not cut this below the Governor's level. We did not. This agency comes in with their own budget, because they are not a part of the Governor's Office. What we have done here, what this amendment does, and what we will do with this bill as it moves to 3rd Reading is we will be about a hundred and fifty-six thousand dollars, Senator Smith, above the Governor's level -- above the Governor's level, not below the Governor's level. Absolutely not.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw.

SENATOR SHAW:

Will this bill -- will this bill have any effect on us in

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

terms of the overcrowding of the prisons that we now have? I assume that all of the people that this would affect this -- is in prison right now -- in jail?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I don't -- I don't believe it will, anymore than it already is. We're not going to slow down the process. We're simply not going to slow down the process. We may not catch up as rapidly or narrow the time frame quite as much as you or I might like to do, but it's going to have no greater or less an impact upon prison overcrowding.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Shaw.

SENATOR SHAW:

Well, you know, I don't want to prolong this, but according to the analysis, the time wait now is -- right now is 1.5, and if this amendment pass, it will go to 1.8, and -- to 1.8. So, you have a backlog of cases right now of one thousand four hundred and eight, and if this amendment pass, then you'll have a backlog -- backlog of sixteen hundred. So, what that mean is that all of the time that these people are going to be waiting, is that -- for appeal -- is that you're going to have -- run out of space, as we've already done, by -- by the overcrowding conditions that are in the prisons already. So when you put this in there, you're going to need to build some prisons immediately, it would seem to me. So, it seems like it's a bad amendment, and I -- I wish you would reconsider and withdraw this amendment, because certainly I don't think the people of Illinois want those people waiting. They should be serving their time in jail, and -- and let's get on with it and -- and let them have their appeal and make room for somebody else, if they're innocent. Let's see if they are

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

innocent, and get them out of there; but if they're guilty, let's keep them in jail.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Carroll.

SENATOR CARROLL:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senator Maitland, I -- I beg to differ with some of your comments. One, this budget was in the Governor's budget book. The budget book included the figures at the 8.4 million dollars. The Governor did approve it, or it wouldn't have been in his book. I can't believe he would put something in his book that he didn't approve of. Secondly, there would be further delay and therefore a further cost to the criminal justice system, according to the public defender, that we would go from about a year and a half to almost a year and three quarters in waiting for appeals, which means that these people would, in fact, be in jail that much longer, at a significant cost to the taxpayers of Illinois. The delays are unconscionable from a standpoint of doing appeals. They are equally unconscionable from the standpoint of the taxpayers paying for unnecessary -- unnecessary overcrowding when these cases can be more expeditiously handled. What we're talking about is -- is really -- if it gets to that point, I guess the downstate counties would have to appoint, at county expense, local lawyers to handle these appeals, if the court ever says that they've got to be moving more expeditiously.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

Thank you, Mr. President. I'd like to a -- a question to the sponsor, please.

PRESIDING OFFICER: (SENATOR WEAVER)

He indicates he would yield.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR SMITH:

Thank you. Senator Maitland, tell me, the increase that you are providing, is this to go to the already hired attorneys -- this money?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR SMITH:

To increase their salaries?

SENATOR MAITLAND:

Senator, seventy-two attorneys are getting raises. Seventy-two.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Smith.

SENATOR SMITH:

What you're doing -- you are eliminating attorneys that can provide services to the people and those that you're maintaining, you're increasing their salaries. Why not hire more attorneys, so that you can serve more people?

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland.

SENATOR MAITLAND:

Senator, I -- I don't -- I don't really know what to say here. You know, they don't have to give -- this is what they want to do. They don't have to get them -- they can hire more people with this money. That's perfectly all right. They can do that. I'm not -- I'm not controlling that at all, and your staff ought to know that.

PRESIDING OFFICER: (SENATOR WEAVER)

Is there further discussion? Senator Carroll, for a second time.

SENATOR CARROLL:

Thank you, Mr. President. I thought I was still on the first

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

time. I thought he was answering a question, when I recognized someone else had been called upon. Let me just -- then basically conclude my remarks by suggesting to Senator Maitland, he looks at Chapter 7, page 33 of the Edgar book, and the budget is there. Secondly, I understand also, that in some of these cases, guilty people may be being released from prison, 'cause the federal courts are saying under habeas corpus, if the appeals are not proceeding in a timely fashion, that the State penal system is ordered by federal court to release the prisoners, because of not handling a speedy trial. I do not think in either case, either we are keeping them too long, or the federal courts are going to be letting people out, merely because we didn't provide them with the public defender for an appeal. I think this is a very bad way to go, and would urge its defeat.

PRESIDING OFFICER: (SENATOR WEAVER)

Senator Maitland's moved the adoption of Floor Amendment No. 2 to House Bill 1885. All in favor, signify by saying Aye. Opposed, Nay. The motion carries. Motion's adopted. You really want a roll call? Senator Carroll really wants a roll call. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 30 Ayes, 26 Nays, 1 voting Present. Floor Amendment No. 2 to House Bill 1885 is adopted. Are there further amendments?

SECRETARY HARRY:

No further amendments reported, Mr. President.

PRESIDING OFFICER: (SENATOR WEAVER)

3rd Reading.

PRESIDING OFFICER: (SENATOR DONAHUE)

House Bill 2203. Senator Jones, on House Bill 2203. Read the bill, Mr. Secretary.

SECRETARY HARRY:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

House Bill 2203.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Maitland.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland, on Floor Amendment No. 1.

SENATOR MAITLAND:

Well, thank you very much, Madam President, Members of the Senate. Senate Floor Amendment No. 1 is a reduction of five million two hundred seventy-five thousand dollars in General Revenue Funds, and a hundred and seventy-five thousand dollars in other funds, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Madam President. Will the speaker yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Hendon.

SENATOR HENDON:

Chairman Maitland, what effect will these cuts have on the delivery of legal services to the people of Illinois?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Frankly, Senator, given the information that we've been given so far, unless I'm informed otherwise by the Attorney General, I think little or none.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Can you justify for us the reason why we have this -- these reductions?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator, the -- it is our belief that -- that much of this -- the personal service lines for the offices were folded into the Springfield and Chicago area in the FY'94 budget, and we, if you recall, ask some of those questions in committee. We really didn't get a legitimate answer, or what we considered to be an accurate answer, and -- and until such time we can get an answer, we -- we will stand with our position.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Could you explain to us, at this time, when we're having an increase in gambling throughout the State, why there's a reduction in the Gaming and Law Enforcement Fund <sic>, when in fact, that these are not even GRF Funds?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Senator, I am reliably informed that this fund is not used for -- for that purpose at all - gambling. None whatsoever.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

...(machine cutoff)...purpose are the funds used for, Mr. Chairman?

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Generally, general law enforcement and other activities that shall go unmentioned.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

If we are trying to get the GRF budget under control, since these funds are not in that budget, then why are we cutting these funds?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

Because, Senator, it is a program expansion.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

I -- I really don't understand what you mean by program expansion. Could you expand on that, perhaps?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland.

SENATOR MAITLAND:

I -- I -- it's -- I'll give you the -- it's a hundred percent increase over FY'93.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Hendon.

SENATOR HENDON:

Well, at a time when -- when crime is increasing throughout our State, and we're building more prisons, I just find it sort of strange that we're going to be cutting funds in the Attorney General's Office. I mean, we have all sorts of crimes here,

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

people picking on senior citizens, riverboat gambling. We have all sorts of con artists out here, we have these -- these phone solicitors, which we're -- clearly are violating the law, and I just find it very ironic that we're cutting the lawyer - the legal officer for the State of Illinois - at a time when we have rising crack, rising crime, carjacking - while we're getting tough on crime with all these bills that have passed this Legislature, and been proposed to be tough on crime and hard on crime, at the same time we're going to cut our lawyer's budget drastically. I understand that this is a total of twenty percent. Twenty percent reduction is -- is simply -- is simply too much from -- from the previous year. And I just don't see how we can raise these other projects while we cut the legal officer of the State of Illinois during -- during this time of high crime, and I-- I -- I simply can't support it.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Carroll.

SENATOR CARROLL:

Thank you, Madam President, Members of the Senate. I also rise in opposition to this amendment, and I think maybe some things should be made clear. As to the overall budget, there is no program expansion. This is the same basically as the '93 budget. The -- in fact, the Attorney General's budget will now be lower than it was in Fiscal 1985. The Governor's budget, I might add, has gone up fifty percent since Fiscal 1985, and by this twenty-percent cut in the Attorney General's Office, by this elimination of 5.4 million dollars, Republican Party will have taken the Attorney General down below 1985, while leaving the Governor at fifty-percent higher than 1985, including the fact that they have had a fifty-percent increase in caseload. While the Governor's Office has added outside counsel and inside attorneys to all of the departments, they are cutting once again

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

the Office of the Constitutionally Elected Legal Officer for the State of Illinois. And what is the impact they're having? They're eliminating service offices for senior citizens. They have cut the Office of Public Counsel. They have crippled the effects of CUB, and now they are saying by this amendment, in effect, that the Attorney General will also no longer have sufficient staff to fight the utility rates as the utilities try and increase their rates. There'll be no public counsel, there'll be no CUB effectiveness, because of other legislation, and now they're making sure that the people will not be heard by taking away the impact of a staff sufficient to do the work for the Attorney General to argue against unconscionable utility rates. I think it's absolutely wrong in a year when we've basically said, constitutional officers rise or fall at election time. Here's a constitutional officer who's not looking to raise his budget, but keep the existing one. It was in the Governor's budget, and while Senator Maitland may not have liked the answers that -- that Attorney General Burriss gave him, it is my understanding that Attorney General Burriss did answer the questions. The answers may not have been to the liking, but it's my understanding that the questions were answered. So I think to be punitive to this one constitutional officer, bring him fifty percent below 1985 spending, while letting the Governor go up fifty percent, is absolutely wrong, and I would urge its defeat.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jones.

SENATOR JONES:

Yeah. Thank you, Madam President and Members of the Body. Not to answer -- ask of the sponsor of the amendment any questions, because I think the issue has been throughly addressed. But I -- I don't want the appearance to be that the AG did not answer the questions that were put to him. Not only did he answer the

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

questions, but also when your staff was -- was consulted, they said, "Well, we'll have no more -- no further questions." But if you're going to cut a budget by twenty percent, and I thought perhaps this budget was in line with all the other constitutional officers. And I know that the budget of the Lieutenant Governor, the Governor, maybe the Treasurer Quinn, cuts could have possibly been made there. But if you think you're going to sit here -- and I don't know why, Senator Maitland -- I do not know why you purposely picked on the Attorney General's budget, when he's charged with the responsibility of representing the people of the State of Illinois, and you're the one that raised the question in committee as it relate to politics, and I know Senator Hendon questioned you on that, and you said that was not your intent. But I don't like to see a twenty-percent cut in a budget that was approved by the Governor's Office. It is the only constitutional officer whose budget that is being cut for capricious reasoning, and you're going to have to live with that. But -- but we, on this side of the aisle, do not play that silly game of politics. So if -- if this is the method which you want to deal with, we must deal with everything else along those lines. But it is silly politics, because this budget for this office is -- is less than it was in FY'85. So there is no rational reason why -- if you were -- if you were really concerned you would have cut Jim Edgar's budget, which has increased over fifty percent since 1985. So let's quit playing the silly politics that you're doing and -- and withdraw this amendment in the best interest of the people of the State of Illinois, and we can get on with taking care of the business. But don't make this statement evermore, 'cause I sat there, and I heard. And I didn't bring up the question of politics; you did.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Jacobs.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I just want to check my mike out, John. Can you hear on this one? All right. Thank you. So what we're saying then, is 12.1-million-dollar increase for the Secretary of State for his operations, and 5.5 million dollars reduction for Roland Burris and his operations. Now am I heard? Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Senator Smith.

SENATOR SMITH:

Thank you, Madam President and to all of my colleagues assembled here. I am -- I'm floored, believe me, that we who are elected by the people of the State of Illinois have the privilege and the honor of coming down here to Springfield and to serve in these Chambers, supposedly to represent the people of the State of Illinois who live in all the hamlets, country areas, the City of Chicago, the suburbs, and they are dependent upon us and they elect you to come here to represent them. They can't come into these Chambers, but you can. And yet when you come here, all I see is play. People are not dumb. They may not be able to read and write, but they've got a mind. And what you do today, you may not know it, but you'll reap it tomorrow. Believe me when I tell you. Now, Burris is an honorable person. He's everywhere; he tries to serve people. Our Governor is an honorable person in his own rights; he travels and he seeks to serve people. Our Secretary of State is an honorable person, and he seeks to serve the constituents here in the State of Illinois. And we look at all of our legislators, and you carry a title, and you go home and you parade in your district. "I am the Senator of this district." And people are supposed to be proud of you, and they respect you. But yet, when you come down here to take care of the business of the people who live in the State of Illinois, you're partial. Now

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

the Secretary of State - not to say, I'm sorry - the Attorney General - maintained offices all across this State, in order to serve the people who live in the State of Illinois, and here you want to eliminate these office -- regional offices - which significantly would impact legislative districts which serve our constituents. There are a lot of people who -- cannot get on planes and trains, ride automobiles, when they have problems. But we're to service them by putting regional offices in their area. And this is a boost and -- and -- and -- and a plus for the State of Illinois, and because you do not like the way they answer you -- your children don't answer you all the time like you want them to answer you. Some of them don't even come by and say, "Ma or Pa, I'm going to do thus and so"; they just go ahead and do what they want to do. Now, I was sitting in the committee room when he was being questioned, and I thought that some of the conduct of our Members of the panel was a disgrace. He being the Attorney General, there's certain things that you do respect to people, not because you don't like them, but because of the position that they hold. And here now you want to cut him down by five million dollars and let him suffer the same way you're doing the Department of Human Services, and the Department of -- the Commission. It's not a reflection on him; it's a reflection on the State of Illinois. You're not saving any money. The money's going to go someplace else: one of your play-toys, or somebody that you favor. But he is taking care of the business of this State, and he needs equipment. It's -- laugh if you want to laugh, but your day will come, believe me when I tell you. Now, if you want to do right, I may not like, or agree with, everything that you say or do, but as Voltaire says, I will, to the death of me, give you your opportunity. And so I say here this afternoon, I'd -- whether you do it or not, but just judge the man on the merit of his position and what he's trying to do for the State of

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Illinois. He was a very ample Comptroller. Everything he's ever served in he has been honorable, and you're saving your Governor and you're saving this and you're saving that. You're not saving; you're going home and laugh about these things. But the day will come you'll have one of your own in the same position, and I will see how you act toward them. And so I say please, Madam President, and you -- those of us who are here, if you are honorable -- and to all of our new legislators who have come in here for the first term, you got a long ways to go, sir -- and Ladies and Gentlemen, you have a long ways to go. You may be smiling right today, but it will not be smiling tomorrow. You've got to go back home to your constituents, and some of them will want some services that you will not be able to provide for them, because of your narrowness. So I just want to say, Madam President, thank you for this time.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Trotter.

END OF TAPE

TAPE 3

SENATOR TROTTER:

Thank you very much, Madam President and Members of the -- of the Senate. I'm not going to repeat what has been said; I think it's been well put out there that what we're doing here today and with this amendment, is actually a travesty. It's a travesty, because no other constitutional officer has actually had their responsibilities almost double as a consequence of the legislation that we propose in this Legislature. What do we do? We say day

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

in and day out that we must have enhanced criminal penalties. We say that we are for right. That we want to make sure that our -- our society is cleaned up. That we put away these drug dealers. That we go ahead and we have some control over these gambling entities that we have, and who do we put this responsibility on? The Attorney General - the Attorney General - the one that you have designated to be the attorney for the State of Illinois to represent this Body, these people. And yet, you handcuff him, the very one that you want to enforce your laws, by taking away his -- his dollars. It is wrong and is a bad thing to do, and we all need to think about what we're doing here and we all need to vote this amendment down.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator LaPaille.

SENATOR LaPAILLE:

Thank you, Madam President. For some Members that might be new to the Senate or the legislative process, this is the first administration of a Governor, who basically has been dictating to constitutional officers what their budget should be. For fourteen years, under Jim Thompson, his rule was: They are elected statewide; if they wish to take two million less, if they wish to take twenty million more, they would have to stand for reelection. But this Governor has put his hands into every pot, and it seems like year after year, Roland Burris is his target. I submit that if Roland Burris wishes to -- operate his office in a manner in which he sees fit - he stands for reelection - he stands for election, and to be embarking on this plan to be striking against Roland Burris, year after year after year, is a dangerous precedent. I would suggest that this Governor do what the former Governor did for fourteen years. He wasn't afraid of potential candidates against him; he didn't put himself into a bunker mentality; he stood for reelection, and he broke the history books

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

in this State - Jim Thompson - because he wasn't afraid. Don't be afraid of a potential candidate by always striking out. I would suggest that we should defeat this amendment. We should do what's right. We're going to be voting on a Live and Learn program for Secretary of State George Ryan. I'll probably be supporting that. I think there is linkage here. If we're going to treat one constitutional officer fairly, the other one should be treated fairly as well. We should defeat this amendment.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Geo-Karis.

SENATOR GEO-KARIS:

Madam President, and Ladies and Gentlemen of the Senate. I think we've got to keep one thing in mind. I think the rhetoric is beautiful; however, facts are facts. The bottom line is how much money do we have to spend? And we've got to make cuts in various departments, because we have the social services, which needs more of our money, and we've had to cut -- make cuts there, so rather than making it a political thing, which I've been hearing from the other side, let's be practical and let's face the fact that the bottom line is what money we have.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Maitland, to close.

SENATOR MAITLAND:

Thank you very much, Madam President and Members of the Senate. I -- Senator Smith, I -- I want -- I want to make sure you understand that first of all - and this troubles me a great deal - I was not laughing at you. I did not laugh at you. I stood and looked very seriously at you as you made your entire comment. I -- I did not laugh, and why you said that, I don't know. That troubles me greatly. I respect greatly what you say; I told you that last night; I told you that after committee, and I shall tell you that again today. We have some concerns - we

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

absolutely do. You, on that side of the aisle, let's put aside the partisan differences. You should have some concerns about this office and the way we believe, and we think you ought to believe, it is being run. We can no longer identify - we can no longer identify those regional offices. Those monies have been folded into Springfield and Chicago. Downstaters, you ought to be concerned about that. Let's get some answers. That's all we asked for the other day, and the Attorney General did not give us specific answers for those. He resented us even asking the question. Since the General assumed office, on-board head count for the total office has been rising, while -- while in addition, the regional offices have been historically -- plagued by large numbers of vacancies, never filled - never filled. The office budgeted four hundred and twenty-six thousand for lump sum payouts in FY'93, yet has expended less than a hundred thousand dollars. The question we asked, with respect to eight-month retroactive pay raises - we flatly didn't get an answer. That's a big concern. We saw increases of 6.9 percent to 35.6 percent in salaries in one year. You have to be concerned about that. As I said in committee yesterday, all these bills that we are amending, there may be -- there may be problems with what we are doing. You and I ought to both have those concerns, then we will have time to resolve those differences if we make mistakes. But, if this is a legitimate cut - if this is a legitimate cut - think where that five million dollars can be used. Perhaps for education. Twenty-five to thirty percent of that would go to the City of Chicago. These are concerns that we have -- these are answers -- these are questions we want to have answered, and it just wasn't brought to us in proper fashion, and that concerns us. We're not against anyone. We're not against the General; we're not against anyone. But give us the answers and let's work out these problems and resolve this budget. Madam Chairman, I move for the adoption.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Maitland moves the adoption of Floor Amendment No. 1 to House Bill 2203. Those in favor will say Aye. Those opposed, No. The Ayes have it and the -- roll call. Okay. All those vote Aye. Those opposed will vote Nay. The voting is open. Have all voted who wish? Have all voted who wished? Have all voted who wish? Take the record, Mr. Secretary. There are 31 Ayes, 26 Nays and 1 voting Present. Amendment No. 1 to House Bill 2203 is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Hendon, for what purpose do you rise?

SENATOR HENDON:

Madam President, I'm -- I appreciate you recognizing me, but -- but I no longer have a comment, because Senator -- Maitland was closing.

PRESIDING OFFICER: (SENATOR DONAHUE)

We are going to go back to the Calendar on 2nd Reading for the bills that are -- are substantive, and this is the last chance that these bills can be moved to 3rd. Senator Weaver, on House Bill 203. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 203.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator Jacobs, to explain the -- to explain the amendment.

SENATOR JACOBS:

What amendment -- I think it's Amendment No. 2 does, it creates a -- a suppliers license for schools that want to teach riverboat gaming. It's a five-thousand-dollar fee charged by the gaming board for the purpose of them operating a gaming school.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any discussion? Any discussion? Seeing none, Senator Jacobs moves the adoption of Amendment No. 2 to House Bill 203. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Jacobs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs, to explain the amendment.

SENATOR JACOBS:

Amendment No. 3 should have been a part of Amendment No. 2, but it was a slip-up on our part. What it does, it -- it puts the river -- riverboats back home whole because they currently can teach. They are licensed by the -- the board already, and therefore it would have been duplicative, and it's strictly technical in nature.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Any discussion? Seeing none, Senator Jacobs moves Amendment -- the adoption of Amendment No. 3 to House Bill 203. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator McCracken, on House Bill 1300. Read the bill, Mr. Secretary.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SECRETARY HARRY:

House Bill 1300.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. House Bill 1313. Senator McCracken? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 1313.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken, on Floor Amendment No. 1.

SENATOR McCracken:

Thank you, Madam President. This is suggested again by the McCormick Exposition Authority. It would allow them to provide by rule for the handling of their funds, who has to sign it - under what circumstances. The underlying bill allows for the use of electronic transfers. The amendment also exempts, from competitive bidding requirements, occupancies for less than one year at the exhibition hall - it's not even logical to require competitive bidding in that circumstance. And in the case of

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

leases of more than one year's duration, retains the competitive bidding requirement. Also allows them to provide for occupancy by not-for-profit organizations, without being subject to the competitive bidding process. I move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any discussions? Seeing none, Senator McCracken moves the adoption of Amendment No. 1 to House Bill 1313. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken, on Amendment No. 2.

SENATOR McCracken:

You know, I don't even know what the procedure is at this point. The committee approved this amendment, but I don't want to present it for adoption. Do I table or do I withdraw it? Table it? I move to table Amendment No. 2. Under the House rules, which I was more familiar with, we would withdraw amendments, but things have changed so radically, I'm not up on that.

PRESIDING OFFICER: (SENATOR DONAHUE)

...(microphone cutoff)...Cullerton.

SENATOR CULLERTON:

Just a suggestion: Since we haven't adopted the amendment, I don't see -- think -- believe that we should table it. I think it ought to just be withdrawn. The committee is only a recommendation.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken.

SENATOR McCracken:

I was kidding everybody, I knew the rule. I move to table that amendment, because the committee approved it.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken moves that we table Amendment No. 2 to House Bill 1313. All those in favor, say Aye. Opposed, Nay. The Ayes have it. Amendment No. 2 is tabled. Any further amendments?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken, on Amendment No. 3.

SENATOR MCCRACKEN:

Now this was not approved, so the motion is to withdraw.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken moves to withdraw Amendment No. 3 to House Bill 1313. Is leave granted? Leave is granted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. ...(microphone cutoff)...Bill 2152. Senator Farley. Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2152.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved -- for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Farley.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Farley, on Amendment No. 2.

SENATOR FARLEY:

Thank you, Madam President, Ladies and Gentlemen of the

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senate. What Senate Bill -- or what Amendment No. 2 does is clean up the bill in taking out a -- the words "pre-trial" and making sure that the defendant in this case would be entitled to the video apparatus -- who is incarcerated. It was suggested -- the amendment was suggested by members of the committee, along with the Chairman of the Committee, of course, and I would move for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Farley moves the adoption of Amendment No. 2 to House Bill 2152. All those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator McCracken, on House Bill 2262? Read the bill, Mr. Secretary.

SECRETARY HARRY:

House Bill 2262.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken, on -- any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senators Palmer and Butler.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer, on Amendment No. 2.

SENATOR PALMER:

Thank you, Madam President. This removes references to the eleven panels in this bill. The -- JCAR thought that that would

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

be a significant cost to them, and by removing this panel, it removes the cost to JCAR. And I move for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Palmer moves the adoption of Amendment No. 2 to House Bill 2262. Those in favor, say Aye. Senator McCracken, for what purpose do you rise?

SENATOR MCCRACKEN:

That had been the game plan, but we'd like to pull this out for just a moment and talk to Senator Palmer about it. May we do that, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer, would you like to take it out of the record? This is last chance, 2nd Reading.

SENATOR PALMER:

No, I would not like to take this out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

Out of the record. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

Point of order. I -- I'm a little confused. The sponsor took the bill out of the record? Do we -- then what is the status of the bill now? Did we -- did the amendment that -- the first amendment that he -- that he tabled, or -- or what? You know, I haven't heard of anyone taking the bill out of the record.

PRESIDING OFFICER: (SENATOR DONAHUE)

The House -- House Bill -- 2262 is on 2nd Reading, Senator. Senator Collins.

SENATOR COLLINS:

Did -- did we approve the amendment?

PRESIDING OFFICER: (SENATOR DONAHUE)

No. House Bill 2272. Senator McCracken. Read the bill, Mr. Secretary.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SECRETARY HARRY:

House Bill 2272.

(Secretary reads title of bill)

2nd Reading of the bill. No committee amendments.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator McCracken.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken, on Amendment No. 1.

SENATOR McCracken:

Thank you. After some long hours, this amendment is the product of agreement among all the affected parties in the private sector, the pension funds, the Department of Financial Institutions, and represents a compromise on an issue -- well, a number of issues, frankly, one of which is how far back can the Department go in seeking dormant assets - dormant intangible property. It has been concluded by this amendment that the absolute limit should be fourteen years - five years to determine dormancy and nine years before that - as a -- an ultimate Statute of Repose. There are other changes which have been concluded by this amendment. DFI will be prohibited from using statistical -- estimation in determining the amounts to be reported; requires holders to retain accounting records on intangible personal property for eight years prior to the date it is reported to DFI; and exempts internal -- intangible personal property held prior to the eight years preceding from the scope of DFI's activities; and there is one matter which is continuing to be negotiated and on 3rd Reading. If it's alright with the Body, I would propose to read some legislative history into the record for that purpose. I move its adoption.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Senator Klemm.

SENATOR KLEMM:

Well, thank you, Madam Speaker. Will the sponsor yield for a question?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Klemm.

SENATOR KLEMM:

One of the proposals - I don't know if it's this bill, Senator - but, was about reasonable charges or expenses could be withheld, and I was wondering if that's still in there, and if we could define what "reasonable" would be. And, my concern would be that small accounts could be more than eaten up, if you will, by those who decide that we'll make our reasonable charges somewhat unreasonable.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken.

SENATOR MCCRACKEN:

I don't know the answer, but I'm going to guess. My guess is that reasonable charges are the objective person's standard, found in other areas of the law. We have chosen to use the language "charges" for reasons not germane to your question, but the modifier "lawful", as to lawful charges, will determine that contract law governs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Klemm.

SENATOR KLEMM:

Well, I just saw the answer and -- jotted down there next to my seatmate. So, I'm still concerned, and maybe when we get to 3rd Reading that could be explained a little bit more fully. I think many of us are unfamiliar with what the contract law governs, and my concern would be for the small claims that

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

sometimes remain in a savings account and many of us get these reports from the Department to try to find the owners of this unclaimed property, that really, it's kind of maybe a sham that these financial institutions could perhaps confiscate all of it under the claim of "reasonable". So I was wondering if there's a definition that would be clear and that it would be some caps to it, perhaps. Because again, tens of thousands of dollars could be eaten up under "reasonable charges".

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator McCracken.

SENATOR MCCRACKEN:

Yes. I'm sorry I didn't have the answer sooner. I -- I was talking to the person responsible for this product. The issue is not "reasonable charges"; the term will be "lawful charges". The meaning of "lawful" will be determined by the contract governing the relationship between the person in business - the retailer - and the person who left the property with the retailer. So if their contract as between them gives the right to some amount of charges for holding the property, then those will be allowed to the retailer's benefit. But again, the concept will depend on the contract between the two parties.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Seeing none, Senator McCracken moves the adoption of Amendment No. 1 to House Bill 2272. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. We -- we'll -- any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. We will return to the Order of 2nd Reading. House Bill 2262. Senator McCracken? Read the bill, Mr. Secretary.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

SECRETARY HARRY:

House Bill 2262.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Commerce and Industry adopted Amendment No. 1.

PRESIDING OFFICER: (SENATOR DONAHUE)

Have there been any other Floor amendments approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senators Palmer and Butler.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Palmer, on Amendment No. 2.

SENATOR PALMER:

Thank you, Madam President. This amendment deletes all references to the proposed eleven panels, and I ask for its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Thank you, Senator Palmer. Senator Palmer moves the adoption of Amendment No. 2 to House Bill 2262. Those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Any further amendments?

SECRETARY HARRY:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. On page 5 on your Calendar, on the Order of 3rd Reading is House Bill 767. Like to have that bill returned to the Order of 2nd Reading for the purposes of an amendment. 3rd Reading. Senator Barkhausen, on House Bill 767. Out of the record. Senator Hasara, on House Bill 837. Out of the record. Senator Topinka, on House Bill 935. Do you wish to have this bill returned to the Order of 2nd Reading for the purposes of amendment? Read the bill, Mr. Secretary. Have there been --

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator Topinka seeks leave of the Body to return House Bill 935 to the Order of 2nd Reading, for the purposes of an amendment. Is leave granted? Leave is granted. On the Order of 2nd Reading is House Bill 935. Read the bill, Mr. Secretary. Are there any Floor amendments that have been approved for consideration?

SECRETARY HARRY:

Floor Amendment No. 1, offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka, to explain the amendment.

SENATOR TOPINKA:

Yes. Amendment No. 2 makes a stylistic change and two substantive changes. It reinserts the word "alleged" in triggering the duty of the officer to make a report of an incident of abuse. It also deletes the requirement that the victim receive a copy of the domestic violence offense report. Excuse me, if I may. Amendment No. 1 -- we thought it had been adopted, but I guess not. This would impose a number of mandates on law enforcement and other officers. It creates the Campus Security Act and would require each institution of higher education to establish a community task force for the purposes of coordinating with community leaders and service providers, a way of preventing sexual assault and to ensure a coordinated response. It also requires institutions to make written policy and procedures to identify security-sensitive positions, and it makes provisions for the completion of criminal background investigations before employing persons in these positions. This is an amendment from the Citizens Assembly, and it formerly was Senate Bill 395 that Senator Fawell had. That -- we have no opposition and I'd like to have the amendment adopted.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Topinka moves the adoption of Amendment No. 1 to House Bill 935. Those in favor,

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Are there any further amendments?

SECRETARY HARRY:

Floor Amendment No. 2, offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka, on Amendment No. 2.

SENATOR TOPINKA:

Right. Senate Amendment No. 2 makes the stylistic change and substantive changes by inserting the word "alleged" in triggering the duty of the officer to make a report of an incident of abuse. It also deletes the requirement that the victim receive a copy of the domestic violence offense report.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Topinka moves the adoption of Amendment No. 2 to House Bill 935. Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further amendments?

SECRETARY HARRY:

Floor Amendment No. 3, offered by Senator Topinka.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka, on Amendment No. 3.

SENATOR TOPINKA:

This amendment does two things. It requires the imposition of the duties of the law enforcement officer to compile a report only for bona fide allegations, and also, it deletes the requirement of the Criminal Justice Information Authority to report annually the tabulated data from the domestic violence reports to the Governor, the General Assembly, the Sheriff and the State's Attorney of each county.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any discussion? Seeing none, Senator Topinka moves the adoption of Amendment No. 3 to House Bill 935. All those in

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted -- the amendment is adopted. Are there any further amendments, Madam Secretary?

ACTING SECRETARY HAWKER:

No further amendments reported, Mr. -- Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Ralph Dunn, on House Bill 1009. Excuse me, Senator. I -- I didn't -- I inadvertently skipped over you. I apologize. Senator O'Malley, on Senate Bill -- House Bill 979? Read the bill, Madam Secretary.

ACTING SECRETARY HAWKER:

House Bill 979.

(Secretary reads title of bill)

3rd Reading of the bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Madam Chairman, thank you, and, Members of the Senate, thank you very much. House Bill 979, as amended, repeals what is commonly known as the -- Retail Rate Law. A number of amendments were added to this bill. These amendments, 3 and 5, would - along with what remains of the bill - would provide that the preferential rate treatment would continue to exist with three exceptions: the only incinerators which remain eligible for this preferential rate treatment are those fueled by methane gas from landfills; those filled by used or waste tires; and those fueled by biomass. Under this bill, biomass is defined as waste wood from paper mills, sawmills, and wood products manufacturing; urban wood waste such as tree trimming or used pallets; and orchard prunings. All biomass, except those -- except for used pallets, must have been generated in Illinois. Let me emphasize that a facility which is fueled by any one of these three fuels would

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

continue to qualify independently for this preferential rate treatment. Thank you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Are there any discussion? Is there any discussion? I see that. Senator Collins.

SENATOR COLLINS:

Yes. Senator, what impact will this -- the passage of this bill have on the Robbins proposed incinerator?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

If this bill were to come law, it would have the same effect on -- on municipal waste garbage incinerators evenly. It would apply to every one of them, whether it was the one in Robbins or anywhere else, Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins.

SENATOR COLLINS:

Senator, to -- to the bill, and I'm sure you've heard this before: Because that -- I mean, that community has been counting on this incinerator, and -- and it has been in progress - the development - for a long time. They've gone through a lot. They've gotten approval, and now we want to pass legislation that will prohibit them from moving forward with this incinerator, which they are counting upon as a basis for their economy, to just -- to keep that community and that local unit of government alive. And I think what you could do, in -- in this case, is to grandfather in those that have already received approval, in order not to impose financial hardship upon that particular area. Now, there have been legislation coming through here every year since they've been in the progress of trying to get approval, but most of the legislation recognized that and -- and in some way exempt

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

them from the act, and I'm asking that you do the same thing for this bill, and I'm sure Senator Shaw - and I'm glad to see him on the Floor - will speak to the issue.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator LaPaille.

SENATOR LAPAILLE:

Thank you, Madam President. To give the Body a little background on this issue: We're shopping around again in the Illinois State Senate. So -- Senator O'Malley had Senate Bill 1060. Senator O'Malley went to the Environment Committee - he went to the Environment Committee March 24, 1993, and this measure was killed by the Senate Environment Committee. Several weeks ago, when he was shopping around, he found his way into the Local Government Committee and found this bill - House Bill 979 - which had nothing to do with this issue. The amendment was adopted, gutted House Bill 979, and we're now shopping around in the Illinois State Senate with this measure - everything I thought we weren't supposed to do in these new Rules of the Illinois State Senate. Because if you had one bite at the apple, it was supposed to be over, because May 28th is right around the corner. But anyhow, notwithstanding that, several weeks ago we did vote to -- to create a five-mile limitation to give those surrounding communities the right, basically, to stop this Robbins incinerator. Now we're coming in, we're taking tax incentives away from incineration. And if you read the Environmental Council's letter in support of this, you often wonder: What is the Illinois Environmental Council all about? They do a good job, but they're opposed to everything to dispose of our garbage. If you listen to them, all of our garbage might as well just stay in our homes and put it in our basements and get Hefty bags and just keep it at home, 'cause they don't want you to landfill - they don't want you to incinerate - they don't want this - they don't

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

want that. Just what -- what type of disposal plan and solid waste plan are we going to have in Illinois if we keep saying, "not in my backyard - put it in your backyard". So what I would say is that the Senator is -- is attempting to correct a problem that he foresees in his district. We supported him - I supported him - with his five-mile limitation. But now to say, "Let's take away tax incentives for research, development of safe incineration", I think is folly, and I think this bill should be defeated.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Shaw.

SENATOR SHAW:

Will the sponsor yield, Madam President?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Shaw.

SENATOR SHAW:

Senator O'Malley, what do you do with your garbage?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

I'm -- I'm not sure I heard that question. Would you repeat that, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Shaw.

SENATOR SHAW:

Could you tell the Body how you dispose of your garbage?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Well, I hate to be somewhat flippant here, but really, if you want, I'll get ahold of Mrs. O'Malley and check it out.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator Shaw.

SENATOR SHAW:

I didn't hear that Senator.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

I'll be -- I'll be happy to give my wife a call and find out for you, Senator, if that's important to you.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further -- put your light on, Senator Shaw. Senator Shaw.

SENATOR SHAW:

To the -- to the bill, Madam President and Ladies and Gentlemen of the Senate: The Robbins incinerator is in my district. The people of Robbins want the incinerator. They have met every requirement in accordance to law to put the incinerator in Robbins. As you know, we had an election there a few weeks ago. The Mayor of Robbins, Mayor Brodie, who supports the incinerator, was reelected in an overwhelming -- by an overwhelming number. The people who don't know Robbins, Robbins is a -- is a community that's seventy-five years old - an African-American community who's seventy-five years old. Don't even have a gas station in that community. Don't even have -- if you run out of gas in Robbins, you can't buy gas for your car. They have had no economic development in that community in probably the last thirty-five years. But here's a community that have met -- the people have met in that community. When the Attorney General went to court and told them that they had to have another public hearing, the community -- came out in great numbers, and met, and -- and approved the incinerator. The Attorney -- the Attorney General and the Illinois EPA asked them to make some additional changes with the mercury level in there. The people who were operating the incinerator met that criteria,

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

in terms of mercury going out of the -- stack -- out of the stack.

But, it's ironic, Ladies and Gentlemen: Here's an African-American community - and they're not asking for much - but here -- some people in this Body -- some people in this Body don't even want this community to have the garbage. They won't put any money into the community otherwise, but now you want to take -- remove the garbage from the community. There is no other plan for Robbins. There is no other plan. It's been there for seventy-five years and you haven't made any provision to work with Robbins, to do anything out there for the plight of the -- that town. And just like East St. Louis, Robbins at one time could not pay their own police department. This incinerator will help them do that. East St. Louis down there, we got State policemen down there patrolling the streets of Robbins. It is unfortunate that my colleague would introduce such a bill as he has introduced here. But, what I'm asking the Members of this Body to do is to look at it. This town has been on national television. One -- they're probably the third poorest town in America, and all they are asking is to have a little economic development. Now the opponents to this bill will argue that, "Well, it's not safe". There's nothing about this incinerator that's not safe. From all of the experts that I've talked to -- when you talk about this bill, you don't talk about the tire place in Ford Heights. It's ironic that the Ford Heights piece was taken out of this bill, which will be processing old car tires. It -- it had been removed from this bill - that's my understanding. And we all know that if you are talking about damaging the atmosphere, that when you're talking about processing old tires, the sulphur and all of that that comes out as a result of burning and cutting up the -- processing the old tires is more dangerous than burning just household garbage. But that's not what the people are after in this bill. They want this plant - they want it. And I ask -- and

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

I might ask the sponsor of this bill, is: Why did Robbins -- why did Ford Heights remove itself? Why did he put the amendment on to remove Ford Heights from this bill, knowing full well that the tires could be more damaging than the -- than the household garbage? But I ask you, Ladies and Gentlemen, to -- to vote this matter down, give Robbins this incinerator - give Robbins this incinerator. This incinerator is not hurting a sole; it's helping people. It will help Robbins. It means a lot of money, where Robbins can pay their police force and pay their bills, their water bills and other things. I ask you to vote No on this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Further discussion? Senator Butler. Come on, let's keep it down. We're coming to a close. Senator Butler.

SENATOR BUTLER:

I don't think anybody is going to hear this in all the turmoil on this...

PRESIDING OFFICER: (SENATOR DONAHUE)

Can I have your attention? Please keep your voices down and take the conferences off the Floor. Senator Butler.

SENATOR BUTLER:

Thank you, Madam President. I -- I rise in opposition to this -- to this bill, for the simple reason that it's symbolic of what's happening to the whole problem of -- of -- of waste management. That is that we are putting more and more obstacles in the way of -- of -- of steady -- of -- of reasonable disposal of waste material. In the northwest area - and I'd like to speak to those from the northwest area - we have less than five years left before we're going to be up to our ears in garbage, unless something happens. Incinerators are the preferred method of -- of waste disposal. They are preferred more than -- over landfills by a -- by nearly every authority on the subject. I think that we have to take a good look, because this bill will, in effect,

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

destroy the ability of incineration plants to be started up for years and years into the future. Incineration is the future, and we should not put this kind of an obstacle in the way of a solution to a very serious problem.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Trotter.

SENATOR TROTTER:

Thank you very much, Madam President, Members of the Senate. I'm very ambivalent about this bill. I have family, I have friends who live in Robbins, and they've told me that -- that they want this bill. I've -- I believe in economic development. I believe in self-determination. I believe in political empowerment, and I believe the people of this community should have the right to have this incinerator in their district if they so desire. However, I'm an opponent to incinerators. I'm an opponent because we know that it is not one hundred percent safe. We know it might be the preferred method, but it's not safe. We know that the emissions from this incinerator does contain toxins; it does contain mercury within it. We know that -- that these jobs they're promising - those skilled jobs they're promising - are going to go to skilled workers who already have jobs and are -- probably could get a job anyplace. This is just another job they can get. And the sixty small jobs that this community is going to actually realize are going to be unskilled jobs paying minimum wage. So it's not really no big windfall of money coming into this district at all, or into this area. We know that the ash that's coming from here is going to have to go to the landfills. So this is not the -- the definitive answer to our problems. And because of that, I do have problems, and I will be voting my conscience on this issue, but I do not believe that it's a good idea.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Further discussion? Senator Jacobs.

SENATOR JACOBS:

Thank you, Madam President, Ladies and Gentlemen of the Senate. Would the sponsor yield for a question, please?

PRESIDING OFFICER: (SENATOR DONAHUE)

Indicates he'll yield, Senator Jacobs.

SENATOR JACOBS:

Senator, who will compensate the developers for -- for use -- for loss of use of their property, inasmuch as they're this far into the process? Who will pay for that? Who will compensate them for that, and also for loss of use of the license?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator O'Malley.

SENATOR O'MALLEY:

Senator Jacobs, thank you for bringing that up. I'm don't -- sure that we here in the Illinois Senate should be very much concerned about an out-of-state developer and any money they spent. I certainly don't want to see any more dollars going to Pennsylvania than have to go. Let's keep our money right here in Illinois where it belongs.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

Well, number one, I'm a little surprised at that -- at that comment. For someone who believes in business to say that only Illinois -- Illinois businesses will be considered for anything is a little bit ludicrous I think, at best. But, still, the question is: The -- the developers have went this far; they have invested a lot of money; they have an open door - the courts have said so. Now, if we come in and stop them at this late date, who's going to compensate them for the deprivation of use?

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Senator O'Malley.

SENATOR O'MALLEY:

Senator Jacobs, this is not about whether or not a developer can build that; it's whether or not they're entitled to a subsidy from the citizens and taxpayers of the State of Illinois. That's all this bill is about. You know it and I know it. And -- my comments to you are: If this out-of-state developer thinks incinerators built in Illinois are such a good idea, then they should go -- forward on the merits and do so.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Jacobs.

SENATOR JACOBS:

However, there is a difference, Senator. We have changed horses in the middle of the stream. That changes the whole ball game. Let me just, in closing, say why I think that we should also be opposed to this bill. In the integrated solution to waste management, as laid out in Illinois State <sic> Waste Management Act, Chapter 111, is to reduce volume at the source; recycle and reuse; combustion with energy recovery; combustion with volume reduction; and disposal in a landbill facility -- a landfill facilities. I think that these facilities meet all of those criteria, and for that reason alone, we should defeat this bill.

PRESIDING OFFICER: (SENATOR DONAHUE)

Any further discussion? Seeing none, Senator O'Malley, to close.

SENATOR O'MALLEY:

Again, thank you, Madam President, Members of the Senate. I'm not going to take up a lot more of our time, because I know I have been around to speak to most of the Members of the Senate, and you've heard what I've had to say, and you've heard what the opponents to this bill have had to say. But there's something

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

that happened today that I feel I have to say to the entire Senate how strongly I feel about it. A piece of literature that's -- has on -- is really unidentified as to who delivered it, has a statement in there. And that statement is false. It says, "Current Illinois State policy specifically disallows any company that -- that burns out-of-state trash from receiving the retail rate for energy produced." Well, that's not true - that's not true at all. This is -- this is supposed to be an Illinois Environmental Coalition fiction. I've checked it out, since I've discovered this this morning. I checked the law. It's not in the law. It doesn't say that -- that this -- that this subsidy is only available for burning Illinois garbage. I contacted Bob Lane from the Illinois Commerce Commission, and I asked, "Is there any such policy in Illinois, the Commerce Commission?" and there isn't any. I received a copy of their rules, went through it - there is none. Lastly, I've gone to the Illinois Environmental Protection Agency, and was assured by Thomas Walters, who's their legislative liaison, that there is no such policy. Now, I've been around to talk to you about this. I've made it clear that this subsidy would in effect help us start -- or help -- help out-of-state -- or out-of-state garbage be burned in Illinois. And I want to make sure that everybody who heard me -- listened to what I had to say, that I was giving you the facts. And this piece of literature that was distributed today was not factual. I won't take up any more of -- of your time. I would ask for a favorable roll call, and thank you for your consideration.

PRESIDING OFFICER: (SENATOR DONAHUE)

The question is, shall House Bill 979 pass. Those in favor will vote Aye. Opposed, Nay. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Madam Secretary. On that question, there are 34 Ayes, 16 Nays and 7 voting Present. House Bill 979, having

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

received the required constitutional majority, is declared passed.  
Committee Report.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned to committees: Be Approved for Consideration - Senate Amendments 6 -- 16 and 17 to House Bill 176, and Senate Amendment No. 6 to House Bill 203; referred to Commerce and Industry Committee - Motion to Consider -- pardon me -- Motion to Concur with House amendments with respect to Senate Bill 347; referred to Education Committee - Motions to Concur with House amendments with respect to Senate Bills 7 and 1096; referred to Environment and Energy Committee - Motions to Concur with House amendments with respect to Senate Bills 41, 543 and 616; referred to Executive Committee - Motions to Concur with Senate <sic> amendments with respect to Senate Bills 550 and 899; referred to Financial Institutions Committee - Motions to Concur with House amendments with respect to Senate Bill 490; Motion -- pardon me -- referred to Insurance, Pensions and Licensed Activities Committee - Motions to Concur with House amendments with respect to Senate Bills 207, 496, 641 and 966; referred to Judiciary Committee - Motions to Concur with House amendments with respect to 418, 460, 486, 576, 759, 1076 and 1078; referred to Local Government and Elections Committee - Motions to Concur with House amendments with respect to Senate Bills 45, 60, 538 and 714; referred to Public Health and Welfare Committee - Motions to Concur with House amendments with respect to Senate Bills 66, 478 and 861 and Senate Amendments 1, 2 and 3 to House Bill 1300; Senate Amendment No. 4 to House Bill 2231; and Senate Amendments 1, 2 and 3 to House Bill 2245; referred to Transportation Committee - Motions to Concur with House amendments with respect to Senate Bills 439, 479 and 536.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

I -- I -- I guess it's the intention of the Chair to go until 6 o'clock, folks, so let's get back to your chairs and we're going to go on to House Bills 3rd Reading. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Well, I -- I think when we -- what happened here is I think you ought to ring the bell, because I think there are a number of people who have rushed out in their tennis shoes to do whatever they are going -- thought they were going to do, and they've picked up all their papers and everything. So someone should ring the bell and say olly, olly, oxen free, come on in.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Madam President and Ladies and Gentlemen of the Senate. As -- as you're probably aware, tomorrow is the last day for House bills in the Senate. We probably have in the area of ninety to ninety-five bills. You know, it was the intent of the leadership to try to get out early tomorrow, but with all the jawing going on today, we're going to probably be here late tomorrow. And I know the ball game is very important. Why don't we just do one more bill and call it quits?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Topinka, for what purpose do you rise?

SENATOR TOPINKA:

Well, I thought we were going to be making committee announcements, 'cause it looked like we were winding up, so I'll make the announcement and that is that the Public Health Committee will meet tomorrow at 8 a.m. in A-1 of the Stratton Building.

PRESIDING OFFICER: (SENATOR DONAHUE)

On Senate <sic> (House) Bills 3rd Reading is House Bill 1009. Senator Ralph Dunn. Out of the record. House Bill 1029. Senator

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

LaPaille. House Bill 1029. Out of the record. House Bill 1032. Senator Woodyard. Out of the record. House Bill 1038. Senator Philip. Out of the...(microphone cutoff)... House Bill 1040. Senator Philip. Read the bill, Madam Secretary. Senator Philip seeks leave to bring the bill back to the Order of 2nd Reading for the purposes of an amendment. Senator Philip seeks leave of the Body to return House Bill 1040 to the Order of 2nd Reading for the -- purposes of an -- of an amendment. Hearing no objection, leave is granted. On the Order of 2nd Reading is House Bill 1040. Senator Philip. Madam Secretary, are there any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

Amendment No. 1, offered by Senators Butler and Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the Senate. I believe it's Senator Butler's amendment. It's merely a technical amendment. I move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Amendment -- or, Senator Butler, on Floor Amendment No. 1.

SENATOR BUTLER:

Well, just repeating what Senator Philip said, this is a technical amendment. We want to keep this bill moving, and I'd appreciate your support.

PRESIDING OFFICER: (SENATOR DONAHUE)

Those in favor, say Aye. Opposed, Nay. The Ayes have it. The amendment is adopted. Any further Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

3rd Reading. Senator Topinka, for what purpose do you --  
Senator Philip.

SENATOR PHILIP:

I -- I think the next bill is mine also, and I think we have  
an amendment. If we could do that, I would appreciate it.

PRESIDING OFFICER: (SENATOR DONAHUE)

All right. On the Order of -- Senator Philip seeks leave of  
the Body to return House Bill 1045 to the Order of 2nd Reading for  
the purposes of an amendment. Hearing no objection, leave is  
granted. On the Order of 2nd Reading is House Bill 1045. Madam  
Secretary, are there any Floor amendments approved for  
consideration?

ACTING SECRETARY HAWKER:

Amendment No. 3, offered by Senator Philip.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip, on Amendment No. 3.

SENATOR PHILIP:

Thank you, Madam President, Ladies and Gentlemen of the  
Senate. It's a simple amendment. It -- it allows each one of the  
four legislative Leaders, when the Governor's Office is  
negotiating for pay raises, et cetera, to -- to appoint a person  
to sit in on those negotiations. Move its adoption.

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Philip moves the adoption of Amendment No. 3 to House  
Bill 1045. Is there any discussion? Seeing none, all those in  
favor, say Aye. Opposed, Nay. The Ayes have it. The amendment  
is adopted. Any further amendments?

ACTING SECRETARY HAWKER:

No further amendments reported, Madam President.

PRESIDING OFFICER: (SENATOR DONAHUE)

3rd Reading. Senator Collins, for what purpose do you rise?

SENATOR COLLINS:

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Madam -- Madam President, I -- I assumed that you would, at some point and -- well, I'm rising on a point of order, because I -- it was my understanding...

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR COLLINS:

...that we would go back and for those of us when this Session first started this morning, that were skipped over, would get an opportunity for our bills to move to -- back to 3rd -- 2nd -- 2nd Reading for the purpose of amendment. Given that if we adjourn today, and tomorrow will probably be the last day, will we have an opportunity for those bills to come from 2nd -- from 3rd back to 2nd and then get a vote?

PRESIDING OFFICER: (SENATOR DONAHUE)

Senator Collins, if it's already on 3rd Reading we will be able to move it back to 2nd, adopt the amendment and proceed with it on 3rd Reading. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

A point of personal privilege.

PRESIDING OFFICER: (SENATOR DONAHUE)

State your point.

SENATOR PHILIP:

I just wanted to remind the Members once again - this is the last bill, I believe - that we're coming in at 9 a.m. tomorrow morning. I hope that everybody would be on time. I'd say we're going to have about ninety bills on 3rd Reading. We intend to go through them at least one time. If we can keep the rhetoric down to some extent, maybe we can get out of here early.

PRESIDING OFFICER: (SENATOR DONAHUE)

Messages from the House.

ACTING SECRETARY HAWKER:

A Message from the House by Mr. Rossi, Clerk.

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
REGULAR SESSION  
SENATE TRANSCRIPT

56th Legislative Day

May 20, 1993

Mr. President - I am directed to inform the Senate that the House of Representatives has refused to concur with the Senate in the adoption of their amendment to a bill of the following title, to wit:

House Bill 69, with Senate Amendment No. 1.

I have like Messages on House Bill 765, with Senate Amendment No. 1; House Bill 1526, with Senate Amendment No. 1; House Bill 1613, with Senate Amendment No. 1.

A Message from the House by Mr. Rossi, Clerk.

Mr. President - I am directed to inform the Senate that the House of Representatives has concurred with the Senate in the passage of a bill of the following title, to wit:

Senate Bill 625, together with House Amendments 1, 2, 3, 4, 5 and 8.

Passed the House, as amended, May 20, 1993.

I have a like Message on Senate Bill 906, together with House Amendment No. 1; Senate Bill 425, together with House Amendments 1 and 2; Senate Bill 531, together with House Amendments 1 and 2; Senate Bill 964, together with House Amendments 1, 2, 3, 4 and 5; and Senate Bill 139, with House Amendments 1 and 2.

PRESIDING OFFICER: (SENATOR DONAHUE)

Is there any further business to come before the Senate? Seeing none -- if not, Senator Lauzen moves that we stand adjourned until 9 o'clock Friday, May 21st. Senate stands adjourned.

MAY 20, 1993

HB-0005	SECOND READING	PAGE	39
HB-0012	SECOND READING	PAGE	39
HB-0026	SECOND READING	PAGE	40
HB-0184	THIRD READING	PAGE	7
HB-0203	SECOND READING	PAGE	98
HB-0248	THIRD READING	PAGE	8
HB-0299	THIRD READING	PAGE	9
HB-0317	RECALLED	PAGE	12
HB-0328	THIRD READING	PAGE	13
HB-0377	RECALLED	PAGE	16
HB-0419	RECALLED	PAGE	17
HB-0462	THIRD READING	PAGE	18
HB-0508	THIRD READING	PAGE	20
HB-0611	RECALLED	PAGE	24
HB-0701	RECALLED	PAGE	26
HB-0749	RECALLED	PAGE	27
HB-0749	THIRD READING	PAGE	29
HB-0766	RECALLED	PAGE	28
HB-0848	SECOND READING	PAGE	40
HB-0917	SECOND READING	PAGE	40
HB-0935	RECALLED	PAGE	108
HB-0979	THIRD READING	PAGE	111
HB-1040	RECALLED	PAGE	124
HB-1045	RECALLED	PAGE	125
HB-1243	SECOND READING	PAGE	41
HB-1244	SECOND READING	PAGE	42
HB-1245	SECOND READING	PAGE	49
HB-1246	SECOND READING	PAGE	55
HB-1247	SECOND READING	PAGE	59
HB-1300	SECOND READING	PAGE	99
HB-1313	SECOND READING	PAGE	100
HB-1326	SECOND READING	PAGE	65
HB-1525	SECOND READING	PAGE	66
HB-1551	SECOND READING	PAGE	75
HB-1693	SECOND READING	PAGE	75
HB-1704	FIRST READING	PAGE	5
HB-1721	SECOND READING	PAGE	76
HB-1736	FIRST READING	PAGE	5
HB-1861	SECOND READING	PAGE	77
HB-1869	SECOND READING	PAGE	77
HB-1877	SECOND READING	PAGE	78
HB-1885	SECOND READING	PAGE	78
HB-2152	SECOND READING	PAGE	102
HB-2203	SECOND READING	PAGE	85
HB-2262	SECOND READING	PAGE	103
HB-2262	SECOND READING	PAGE	107
HB-2262	OUT OF RECORD	PAGE	104
HB-2272	SECOND READING	PAGE	104
SR-0485	RESOLUTION OFFERED	PAGE	1
SR-0486	RESOLUTION OFFERED	PAGE	1
SR-0487	RESOLUTION OFFERED	PAGE	1
SR-0488	RESOLUTION OFFERED	PAGE	1

SUBJECT MATTER

SENATE TO ORDER-SENATOR WEAVER	PAGE	1
PRAYER-REVEREND GILLETT	PAGE	1
JOURNALS-POSTPONED	PAGE	1
COMMITTEE REPORTS	PAGE	2
MESSAGES FROM THE HOUSE	PAGE	4
MESSAGE FOR THE GOVERNOR	PAGE	4
INTRODUCTION OF GUESTS-SENATOR DUDYCZ	PAGE	5
GUEST SPEAKER-MARY ANN KAY	PAGE	7
RECESS	PAGE	39

REPORT: TIFLDAY  
PAGE: 002

STATE OF ILLINOIS  
88TH GENERAL ASSEMBLY  
SENATE  
DAILY TRANSCRIPTION OF DEBATE INDEX

94/11/28  
13:34:10

MAY 20, 1993

SUBJECT MATTER

SENATE RECONVENES	PAGE	39
COMMITTEE REPORTS	PAGE	122
MESSAGES FROM THE HOUSE	PAGE	126
ADJOURNMENT	PAGE	127